

Civilian Witness
Shauna Harvey

INTERVIEW WITH SHAUNA HARVEY

Q=Det. Almanzar

A=Shauna Harvey

Q:

The following will be the sworn audio recorded of the witness Shauna Harvey as given to Detective Almanzar of the Fort Lauderdale Police Department. Today's date is, uh, November 28th, 2016 and the time is approximately 12:55 pm. This statement is in reference to case number 16-174939 which is an incident that occurred at 2400 East Sunrise Boulevard at the McDonalds. The incident occurred on today's date approximately 30 minutes ago. Shauna, tell me your full name and spell it please.

A:

Shauna Harvey. S-H-A-U-N-A H-A-R-V-E-Y.

Q:

And what's your date of birth?

A:

March 5th, 1997.

Q:

Shauna can you tell me in your own words, um, well before that let me swear you in. Uh, do you swear to tell the truth, the whole truth and nothin' but the truth?

A:

Yes.

Q:

Okay can you tell me in your own words, uh, what happened today here? Where do you work? What were you doin'? Where you were and - and what happened.

A:

Okay, so I work at the McDonalds on - well in Sunrise 2300 - I don't know the correct address but, it's on Sunrise right before you get I-95 and I was in the window, and my employee in the back (Cash) she had a car pull up. It was a Ford, a gray Ford and he was changing around his order sayin' he wanted to change his milkshake and something about a coupon. Then they pulled up to the first window and I seen an undercover car come up on the opposing side and the guy in the back - the back seat on the driver's side he got out of the car and, um, the drive- the passenger he got out and he started running. He ran away and the guy on, um, the guy who was driving, the police told him to stop and not to move and he didn't listen. He drove up allowing the person in the

46 back seat - in the back driver's side to get out and then he drove over the curb
47 and away basically. And, um, the guy in the - that was in the back passenger
48 seat, he walked up to the window he said that - that, "Whatever they had goin'
49 on it didn't have anything to do with him," and that he, "Was gonna come
50 inside and try to get his food." And from then I said, "Okay," and I walked
51 away from the window, but as the police officer told the guy not to move to
52 stay where he was and he continued to move the car the police officer then
53 drew his gun and let out three shots. I don't know if he was shooting for the
54 person running away or the tires of the car or whatnot but he did fire three
55 shots.
56

57 Q:

58 Okay, so let me just ask you a few questions to clarify. You were at the
59 window taking an order from this car. You said it was a gray Ford?

60 A:

61 Yeah, I - I'm - I'm at the second window so my job is to give the food out.
62

63 Q:

64 Okay.

65 A:

66 Yeah.

67 Q:

68 So you're not taking money from them you're just...

69 A:

70 No.

71 Q:

72 ...passing the food out.

73 A:

74 Passin' the food, yeah.

75 Q:

76 And you said it was a Ford. What kind of Ford was it?

77 A:

78 Um, the grill in the front was silver and it had the lines going straight across,
79 um, I want to say it was a Fusion. It looked similar to that one except it was
80 gray.

81 Q:

82 Okay.

83 A:

84 Yeah.

85 Q:

86 And it wa- you think it was about that - that year? Like, that...

87 A:

88 Yeah.

89 Q:

90 ...new?

A:

It was new like...

91
92 Q: So it was a newer...
93
94 A: ...that.
95
96 Q: ...model?
97
98 A: Yes and...
99
100 Q: And it was four doors obviously?
101
102 A: Yes.
103
104 Q: And you said how many people were inside the car?
105
106 A: Three that I'm accounting for the passenger who ran out, the guy who got out
107 the back on the driver's side and the driver himself.
108
109 Q: Okay, uh, the driver - or - could you descri- can you, um, if you had to
110 identify these three guys could you identify them?
111
112 A: Not the driver and the guy who was running away, he was kind of mid-height.
113 He had like...
114
115 Q: Okay, the guy that was running away came out from which door from the
116 passenger front?
117
118 A: Yeah, the passenger front.
119
120 Q: Okay. How old do you think he was?
121
122 A: I'm wanna say probably like 22.
123
124 Q: Okay how was he dressed?
125
126 A: He had a blue - a blue shirt - I only seen his back because he was running
127 away.
128
129 Q: Okay.
130
131 A: He had a blue shirt and, um, dark colored bottoms.
132
133 Q: Okay, uh, how about the passenger, um, driver's side passenger in the back?
134

135 A: Um, he had a, uh, dreads. Obviously he had one of those stocking things that
136 they wear over their heads...
137
138 Q: Mm-hm.
139
140 A: ...it was long. He was very short. He really didn't come past the window
141 because he was standing right in the window.
142
143 Q: Okay.
144
145 A: Um, dark skin, um, facial hair. He had on a working shirt as well a blue or
146 gray colored working shirt. Yeah, it was gray.
147
148 Q: Okay I'm sorry did you say how - how old do you think he was?
149
150 A: Uh, he had to be like at least - he looked young so I want to say 23, 24.
151
152 Q: Okay and that was the one y- you said came to the window sayin', "This had
153 nothin' to do with me...
154
155 A: Mm-hm.
156
157 Q: ...I'm going inside."
158
159 A: Yeah.
160
161 Q: Okay so how long did it take from when the police off- when - you say it was
162 an undercover car, you say it was undercover because it wasn't a regular
163 marked police car it was like...
164
165 A: Correct.
166
167 Q: ...it was a car that had police lights...
168
169 A: Yeah.
170
171 Q: ...but it was like - looked like any other car.
172
173 A: No one - yeah.
174
175 Q: Okay.
176
177 A: Like that one.
178
179 Q: Okay so he came up to the opposite side in the drive-thru window.

180
181 A: Yes.
182
183 Q: So pretty much blocking the car from...
184
185 A: Exactly.
186
187 Q: ...from - from going forward.
188
189 A: From going anywhere. That's why he decided to drive over the bush...
190
191 Q: Okay.
192
193 A: ...over by where the bus stop was.
194
195 Q: The officers when they - they got out did you see them? Were they wearin'
196 like, uh...
197
198 A: Vests.
199
200 Q: ...marked vests.
201
202 A: Mm-hm.
203
204 Q: Okay. And they had markings that said police?
205
206 A: Yes.
207
208 Q: Okay, uh, did you see initially when they got out what they said and did?
209
210 A: Um, he - all I heard him - when he got out I heard him yell, "Don't move,
211 please don't move," and he said it multiple times and the person still moved so
212 that's when he...
213
214 Q: Did - did you see where they - did they have their guns drawn?
215
216 A: His gun...
217
218 Q: Like when it...
219
220 A: ...wasn't drawn until he asked him not to move and he seen that he was
221 disobeying so then he drew the gun.
222
223 Q: Then, okay.
224

225 A: Okay.
226
227 Q: So the car - the - the silver Ford that was ordering the food...
228
229 A: Mm-hm.
230
231 Q: Um, when it started moving you say he went over the curb, uh, was it going in
232 a direction to try to get away from the police?
233
234 A: Yeah.
235
236 Q: Not to try to run them over or anything like that.
237
238 A: N...
239
240 Q: As far as you can tell.
241
242 A: I mean as - he did - I did - I didn't see exactly when he started driving but I did
243 see the police officer back up.
244
245 Q: Mm-hm.
246
247 A: Assuming that the guy was basically coming towards, like he was gonna hit
248 him.
249
250 Q: Okay.
251
252 A: But he did jump back.
253
254 Q: Okay, um, but you stayed in the window the whole time though?
255
256 A: I kinda...
257
258 Q: Like so you saw the whole...
259
260 A: ...after I s- after I seen - after I seen him pull the gun and the shot that's when I
261 decided to retreat back because I didn't want to get hurt.
262
263 Q: Okay well let's - let's go back to that then, uh, the car was drive - drove away -
264 did it drive away before the shots were fired or was it drivin' away as the shots
265 were fired?
266
267 A: Yeah. It was getting - 'cause what he did was he backed up to give himself
268 some space...
269

270 Q: He - the driver of the - of the...
271
272 A: The driver.
273
274 Q: ...stolen car.
275
276 A: Yeah.
277
278 Q: Uh-huh.
279
280 A: He backed up to give himself some space. I don't know if he was tryin' to
281 allow them to get out of the car or so that he could back up so he can drive
282 away because the - the police car was directly right in front of him.
283
284 Q: Okay.
285
286 A: So he backed up and then he drove off.
287
288 Q: Okay and - and, uh, at what point in time did you hear the shots being fired?
289
290 A: As he was getting ready to drive off.
291
292 Q: Okay.
293
294 A: And this is why I'm assuming he was tryin' to shoot their tires.
295
296 Q: Do you know which of the two officers did the shooting the one that came
297 from the driver's side or the passenger's side?
298
299 A: I'm not sure.
300
301 Q: Okay.
302
303 A: I didn't see that.
304
305 Q: All right, the - were you in a - in a position to see the - the officer shooting or
306 you just heard the shots?
307
308 A: I seen him because he was - he was at this point - at that point in time when he
309 was getting ready to shoot he was standing right in front of the window.
310
311 Q: And what...
312
313 A: Because I was looking right at him.
314

315 Q: Okay and was he sayin' anything as he was shooting?
316
317 A: No. After he said, "Don't move," and he still was moving then he just shot.
318 No words after that.
319
320 Q: Okay, um, what happens after the car leaves? You said there was one that
321 was running away do you know if...
322
323 A: He did.
324
325 Q: ...did you see the off - what the officers did after that?
326
327 A: Um, there was two of them so if I'm not mistaken - I'm not pretty sure but one
328 of them started to pursue the guy who was running away.
329
330 Q: Okay.
331
332 A: Yeah.
333
334 Q: Did the guy that came out of the silver car from the, uh, driver's side in the
335 rear...
336
337 A: Mm-hm.
338
339 Q: Did he ever made it inside the McDonalds?
340
341 A: They didn't, my other manager told me that she didn't let him inside. She
342 locked the door.
343
344 Q: Okay.
345
346 A: And I don't know if he was arrested or whatever after that but...
347
348 Q: Okay.
349
350 A: It's like he kinda got away.
351
352 Q: Anything else that you can remember about this whole thing that you think
353 will be useful to the investigation?
354
355 A: Mmm, nothing really just besides the fact that the guy who was claiming that
356 he was innocent and decided that it would be okay for him to come inside
357 afterwards, I don't know but other than that. Oh, there was a - another car
358 behind I don't know if it was involved, uh, a black Kia.
359

360 Q: Okay.
361
362 A: Yeah. But after - after all that happened I walked away from the window. I
363 closed the window and that was it so no, I don't have any more information.
364
365 Q: All right, and you said that, um, the driver of the car that got away you - if you
366 saw him again you can describe - you can recognize him?
367
368 A: No.
369
370 Q: You can't? You didn't see him?
371
372 A: I - I mean it was all a blur because I didn't really look at the driver because I
373 didn't get to hand him his food so I can definitely ID the guy in the back that
374 was standing in the window.
375
376 Q: Okay.
377
378 A: But yeah, other than that no.
379
380 Q: All right. Can you tell me anything about the driver of the car, uh, like how
381 old do you think he was anything like that? No?
382
383 A: No, sorry.
384
385 Q: All right.
386
387 A: All right.
388
389 Q: This is gonna conclude the audio recorded statement of the witness Shauna
390 Harvey as given to Detective Almanzar. The time now is approximately
391 12:04 pm.
392
393
394 Reviewed By _____

Civilian Witness

John Brooks

INTERVIEW WITH JOHN BROOKS

Q=Det. Almanzar

A=John Brooks

Q: The following will be the sworn audio recorded statement of the witness John Brooks as given to Detective Almanzar of the Fort Lauderdale Police Department. Today's date is November 28th, 2016. The time is approximately 1:26 pm. This statement is in reference to case number 16-174939 which is an incident that occurred at the McDonalds located at the intersection of R- NW 24th Avenue and East Sunrise Boulevard.

Dispatch: (Unintelligible).

Q: The incident occurred approximately, uh, 12:15, 12:20 pm. John tell me your full name and spell your last name.

A: Uh, John last name Brooks B-R-O-O-K-S.

Q: John what's your date of birth?

A: 05-17-1966.

Q: And John do you - do realize I'm a Detective with the Fort Lauderdale Police Department?

A: Yes sir I do.

Q: As such the State empowers me to take your statement under oath.

A: Mm-hm.

Q: Do you swear to tell the truth, the whole truth and nothin' but the truth?

A: Yes.

Q: All right John, can you tell me in your own words where were you at and what you saw, uh, on today's date at approximately 12:15, 12:20 pm?

46 A: I was standin' here on the sidewalk, uh, talkin' to my friend (Albert Lane) and
47 this guy came from out the back so (Albert)'s like, "What this guy doin' comin'
48 out my backyard?" He ran from this yard 2231 across the street to over at this
49 house here and jumped that gate right there. Seconds after that two officers
50 about 6 foot tall, don't know their names - they was behind him. So after he -
51 we told the officers that he went across that gate and they ran there but he
52 disappeared. They thought maybe he went inside the house s, you know, and
53 that I farthest I seen the guy. He had on some jeans, some saggy jeans, low-
54 cut hair cut guy and then he ran through there. I - I mean I thought - I thought
55 I seen a guy with dreads, but he said it was low-cut. I don't know.
56
57 Q: Okay. All right so you're here lo- uh, visiting your friend at 2231 NW 9
58 Place.
59
60 A: Mm-hm.
61
62 Q: And - and you guys were in the front when all of a sudden...
63
64 A: Right here - right on the left side of that - the right side of that truck right
65 there.
66
67 Q: When all of a sudden you see a guy comin' from your friend's backyard...
68
69 A: Right.
70
71 Q: ...running towards the front of the house.
72
73 A: Right.
74
75 Q: Uh, and can you describe him from what you remember.
76
77 A: I just caught him because you know, I was busy, you know, I'm not from
78 around here so I...
79
80 Q: Yeah.
81
82 A: ...I didn't know what was goin' on so but I just caught the guy he had on some
83 jeans. I know that. And he...
84
85 Q: How old do you think he was?
86
87 A: It - it - to me he looked like he was about 30.
88
89 Q: Okay. How tall do you think he was?
90

91 A: Uh, probably about 5'7", 5'8".
92
93 Q: And how - well how - what kind of - what kind of build did he have?
94
95 A: He wasn't too bulky. He was like, maybe like, you know, muscular. Well he
96 had on saggy clothes, you know how they dress.
97
98 Q: Yeah.
99
100 A: You know, I couldn't really tell the - the body state.
101
102 Q: Okay.
103
104 A: But I know that he had on like heavy clothes, like jeans or whatever, you
105 know?
106
107 Q: How about any facial hair?
108
109 A: Uh, like I said, I just caught him jumpin' that, you know, when he told me
110 that's when I, you know, looked up and see him goin' through this yard and
111 jumpin' that gate right there.
112
113 Q: That gate where the Mercedes is?
114
115 A: The - on - in - at the yellow hou- the beige house next door.
116
117 Q: Okay.
118
119 A: The big backyard. Not that gate, the backyard.
120
121 Q: Okay.
122
123 A: He ran through that yard and hit that gate.
124
125 Q: And then you said a couple of seconds later you see two police officers.
126
127 A: Two officers. One went to - through that yard and one walked around on the -
128 on the far side of the road there.
129
130 Q: You stayed where you were though. Did you follow them to see what was
131 happening?
132
133 A: Not with no police with guns, no. Are you serious?
134

135 Q: So you're sayin' when the officers jumped - when you saw them they had their
136 guns drawn?
137
138 A: No sir they did not.
139
140 Q: They did not. They had the gun - guns holstered?
141
142 A: The holster - the gun was in the holster.
143
144 Q: Okay, uh, did you hear them say or yell anything at the guy?
145
146 A: Well the guy was way ahead of them that's why we had to tell them exactly
147 which way the guy went.
148
149 Q: Okay so you told them where they - the officers where he went.
150
151 A: Right - right through there.
152
153 Q: Okay and they went to where you told them correct?
154
155 A: Yes sir.
156
157 Q: All right do you know, uh, if they caught that guy?
158
159 A: From hearin' up there a girl said they caught him by the stairwell.
160
161 Q: No, but did you know like, did you see them...
162
163 A: No.
164
165 Q: ...come back with him?
166
167 A: No sir.
168
169 Q: Okay.
170
171 A: No sir - no sir.
172
173 Q: All right, uh, you don't know what happened before, obviously, that - that lead
174 them to...
175
176 A: No, that's why I walked up there to - to see...
177
178 Q: Okay.
179

180 A: ...that's, you know, I - I didn't - I don't know what...

181
182 Q: So you didn't hear or see anything before that?

183
184 A: Nothin' they said it was gunshot - I didn't even hear gunshots or nothin'.

185
186 Q: Okay. All right Mr. Brooks, uh, I don't have any more questions is there
187 anything else that you'd like to add to your statement that I haven't asked you
188 that you think will be useful to the investigation?

189
190 A: No but if you have a family member that needs some home improvement just
191 give me a call you got my number.

192
193 Q: I got it all right.

194
195 A: They call me Stucco John, bench, whatever, any kind of decorative seat. All
196 kinds of stuff.

197
198 Q: Okay.

199
200 A: You know?

201
202 Q: All right. This is gonna conclude the audio recorded statement of the witness
203 Mr. John Brooks. The time now is 1:30 pm.

204
205 A: Mm-hm.

206
207

208 Reviewed By _____

Civilian Witness
Adjail Brooks

INTERVIEW WITH ADJAIL EDWARDS

Q=Det. Almanzar

A=Adjail Edwards

Q:

The following will be the sworn audio recorded statement of the witness Adjail Edwards as given to Detective Almanzar of the Fort Lauderdale Police Department. Today's date is November 28th, 2016 and the time is approximately 2:00 pm. The statement is in reference to case number 16-174939 which is an incident that occurred on today's date at approximately 12:15 pm. The incident occurred at the McDonalds located on NW 24 Avenue and NW Sunrise and West Sunrise Boulevard in the City of Fort Lauderdale, Broward County, State of Florida. Adjail, can you tell me your full name, spell it?

A:

Adjail Edwards A-D-J-A-I-L E-D-W-A-R-D-S.

Q:

And what's your date of birth?

A:

July 16th, 1998.

Q:

Adjail do you realize I'm a Detective with the Fort Lauderdale Police Department?

A:

Yes.

Q:

And as such the State empowers me to take your statement under oath. Do you swear to tell the truth, the whole truth and nothin' but the truth?

A:

Yes.

Q:

All right, Adjail can you tell me in your own words what - what were you doing and what happened here and what you saw?

A:

Me and my friends left school to get lunch. Um, when we got there I sat - I sat facing towards the window and my friends they went to go get their food when - as soon as we sat down and we got our food the police officer he came running through the - the front of the restaurant I guess and we seen him and we didn't know - and I saw him and I was tellin' my friend, uh, what he's doin'

and by the time we did that he was already in the drive-thru and then he fired some shots in drive-thru to the person that was in the line. And that's all I know.

Q: All right, let me just ask you a few questions. You say you came out of school to get lunch with some friends. Who were your friends?

A: (Taylor), (Patterson) and two other kids, um, (Kim) - I - I forgot the other guy name. I don't really know him. He went with a friend...

Q: Okay.

A: ...went to the front.

Q: And when you guys come into the restaurant you sit down in the booth, uh, and you say your friends went to - to the, uh, line to get the food. You sat down though right?

A: Yeah.

Q: And you were facing the drive-thru window area?

A: Uh, no. I was facing the front window - area - this area in front of the McDonalds.

Woman: Yeah - yeah.

Q: Takin' a statement. Tell him I'm takin' a statement.

Man: (Unintelligible).

Q: Tell him I'm - tell (Steve).

A: So where the McDonalds sign is I was facin' that.

Q: Um, okay. So...

Man: You're takin' a statement?

Woman: He opened the window.

Man: Yeah, he's takin' a statement. Sorry - did you make it down to (Unintelligible)?

Q: I did.

91
92 Man: Did you send them in?
93
94 Q: Yep.
95
96 Man: Okay.
97
98 Q: I took a picture and sent it to (Unintelligible).
99
100 Man: Okay.
101
102 Q: So, you say - first you saw him drive. Who are you referring to when you say
103 when you saw him drive?
104
105 A: The per- the person that came from this drive - this McDonalds. I mean this
106 gas station.
107
108 Q: From the gas station.
109
110 A: Yeah.
111
112 Q: So what was he driving?
113
114 A: Uh, I don't - I - I don't know the model.
115
116 Q: Okay.
117
118 A: Or, yeah.
119
120 Q: So you saw wh- a car drive...
121
122 A: Yeah.
123
124 Q: In the - to the - in the drive-thru.
125
126 A: Yeah.
127
128 Q: And then you saw what after that?
129
130 A: Af- like, after he run right down the corner I didn't see nothin' after that. I
131 only saw him like drive past the face.
132
133 Q: Uh-huh.
134
135 A: But...

136
137 Q: Was he by himself in that car?
138
139 A: Uh, I don't know.
140
141 Q: Okay.
142
143 A: I don't know that.
144
145 Q: So you just a saw a car drive by...
146
147 A: Yeah.
148
149 Q: ...in the drive-thru.
150
151 A: Yeah.
152
153 Q: And wha- you say it was comin' from the gas station.
154
155 A: Yeah.
156
157 Q: So it was heading in what direction west or east?
158
159 A: East.
160
161 Q: It was heading east in the drive-thru?
162
163 A: Yeah.
164
165 Q: Okay and the car drives through. Did you see the people that got out of the
166 car or the person that got out of the car?
167
168 A: No.
169
170 Q: Okay.
171
172 A: I didn't see none of that.
173
174 Q: You didn't see nothin' like that.
175
176 A: No.
177
178 Q: What's the next that - that you see or hear?
179

180 A: The only last thing 'cause I didn't think anything of it. The only thing I - I
181 noticed is when I saw the police, like, they started gettin' out the car and then
182 they started, like, sur- surroundin' the building...

184 Q: Uh-huh.

186 A: And that's when I started - I started, uh, tellin' my friend about what was
187 happenin' but I ain't really - I ain't know that that's - I didn't think anything of
188 the car going through the drive-thru.

190 Q: Okay so you didn't think that was related to why the police were there
191 because...

193 A: Yeah.

195 Q: ...now when you say the police are - are surroundin' the building you see
196 marked police cars.

198 A: Yeah.

200 Q: The - the car that you saw go in - in the drive-thru goin' east wh- do you know
201 if that was a police car or not?

203 A: No, I don't know that's a police car.

205 Q: Okay, um, did you see or hear any other cars after that one went through, um,
206 like, coming or going to McDonalds?

208 A: No, only - only some customers.

210 Q: Okay, um, and did you hear any shots being fired?

212 A: Yeah, we heard a couple shots bein' fired after the guy in the drive-thru - I'm
213 not - it's two or three shots they fired.

215 Q: Did you who was shoot - shooting?

217 A: The - the officer?

219 Q: Yeah, did you see who was doing the shooting?

221 A: Yeah.

223 Q: Yeah, who was it?

224

225 A: I don't know the officer's name but...
226
227 Q: No.
228
229 A: ...he had a - he had a blue...
230
231 Q: Okay, so you saw it was a police officer...
232
233 A: Yeah.
234
235 Q: And can you describe him? What was he wearing?
236
237 A: He had like a blue shirt on.
238
239 Q: Uh-huh.
240
241 A: And it was tucked in. He had his badge. He was like, kind of - kind of - he
242 had kind of a gut, yeah.
243
244 Q: Okay. Did you see the person he was shooting at?
245
246 A: No.
247
248 Q: Did you see, uh, what he was shooting at all period?
249
250 A: I see him shootin' in drive-thru, like...
251
252 Q: In the drive-thru...
253
254 A: Yeah.
255
256 Q: ...but you don't know at who or what?
257
258 A: No, not who or what.
259
260 Q: Okay, um, how many shots did you say you heard?
261
262 A: Two or three.
263
264 Q: Two or three?
265
266 A: Yeah.
267
268 Q: Uh, and did you see any cars leaving after that or...
269

270 A: Yeah, they - they scattered, like, as soon as - as soon as the shots peop- uh,
271 drive - anybody who was in the drive-thru they already left and people in - in
272 the - inside they're wantin' to leave too.
273
274 Q: Okay but the cars that were in the driveway - in the - in the drive-thru...
275
276 A: Uh-huh.
277
278 Q: ...because of the way he drove couldn't come out that same way is that right?
279
280 A: Oh, I don't - I don't know that part. Like I said, I was right there so I don't
281 know actually how they got out. The only thing I just saw was...
282
283 Q: Well from where we're sitting right now you see a black car that's in the drive-
284 thru right now. There's only one way to get in that way and then that, uh, car
285 is blocking it.
286
287 A: Okay.
288
289 Q: So do you - do you know - no others cars coulda came that way.
290
291 A: Yeah so no other cars coulda came that way.
292
293 Q: Okay so did you see any cars leaving that way?
294
295 A: I didn't see no cars come...
296
297 Q: Okay.
298
299 A: ...through there.
300
301 Q: Um, did you see anybody running other than the cops?
302
303 A: No.
304
305 Q: All right. Anything else you can remember you'll think will be useful?
306
307 A: No, not really.
308
309 Q: All right, this is gonna conclude the audio recorded statement of the witness,
310 uh, Adjail Edwards as given to Detective Almanzar. The time is 2:06 pm.
311
312
313
314

315

316

Reviewed By _____

Civilian Witness

Patrick Hanley

INTERVIEW WITH PATRICK HANLEY

Q=Det. Almanzar

A=Patrick Hanley

Q:

The following will be the sworn audio recorded statement of the witness Patrick Hanley as given to Detective Almanzar of the Fort Lauderdale Police Department. Today's date is, uh, November 28th, 2016 and the time is approximately 12:11 pm. I'm sorry, 11:00 - 11:00 pm. This statement is in reference to case number 16-174939, uh, which is an incident that occurred at the McDonalds on the corner of NW 24th Avenue and Sunrise Boulevard. Patrick can you tell me your full name and spell your last name?

A:

Uh, Patrick (Ward) Hanley. That's H-A-N-L-E-Y.

Q:

And what's your date of birth?

A:

09-05-74.

Q:

Patrick do you reali- do you realize I'm a Detective with the Fort Lauderdale Police Department?

A:

Uh, yes I do.

Q:

And as such the State empowers me to take your statement under oath. Please raise your right hand. Do you swear - swear to tell the truth, the whole truth and nothing but the truth?

A:

I do.

Q:

Okay you can lower your hand. Uh, Patrick can you tell me in your own words what where you doing and what happened here at the McDonalds on today's date at approximately 12:15 pm?

A:

Uh, I was, uh, at my vehicle, um, changing, uh, pluggin' a tire that was, uh, had a nail in it. And I was fully, uh, laid down on the ground. And as I was plugging it I heard three to four gunshots. I immediately picked up my head and my upper back and turned my head and I saw a black individual sw-running across the parking lot, um, and then I saw several, um, plain clothes

46 detectives that were chasin' him and then he wind up hoppin' the wall along
47 with the officers.
48
49 Q: Okay. Let me just ask a few questions. You're - you're not employed by the
50 McDonalds you're just a customer here correct?
51
52 A: That is correct.
53
54 Q: And you came here to have lunch.
55
56 A: That is correct yes.
57
58 Q: All right so after lunch, uh, you realize that you had a - a flat tire?
59
60 A: That is correct.
61
62 Q: And you were change - in the process of changing the tire when you heard
63 what you heard. Is that correct?
64
65 A: That is correct.
66
67 Q: So you were already layin' down on the ground or were you - what were you
68 in the process of doing at the time?
69
70 A: I was already laying down. I had already took the - the - the bolt out and I
71 was about to put the, uh, the device that plugs the tire..
72
73 Q: Uh-huh.
74
75 A: ...in and as I'm about to put it in that's when I heard the - several gunshots and
76 then I fl- I just pushed it way in and then I pulled out and then I got up and as
77 I got up I saw the black, uh, individual running across the, uh, parking lot, um,
78 being chased by several, uh, plain clothes detectives and then he wind up goin'
79 over the wall along with several other officers.
80
81 Q: Okay were - were the shots fired before or after he was running?
82
83 A: Uh, from what I - from what I saw it was aft- he was already runnin'.
84
85 Q: He was already running. Okay and - and, uh, you - earlier you stated to me
86 you heard, uh, somebody possibly say that he had a gun - eh..
87
88 A: Yes, I think...
89
90 Q: ...can you explain that?

91
92 A: I think one of the officers I don't know which one, uh, I believe said that, "He
93 has a gun."
94
95 Q: Okay.
96
97 A: Um, and that's after the fact that I heard shots being - rum, uh, (rummed) out.
98 I don't know who shot at who.
99
100 Q: Okay.
101
102 A: Um, I just heard the shots then I heard as they're running and then, uh, "I think
103 he has a gun," and then I saw him just running across the parking lot and hop
104 the wall.
105
106 Q: All right. Can you describe the - the black gentleman that you saw running?
107
108 A: I'd say he was about in height, uh, 5'5" to 6 feet, uh, black, skinny, um, and I
109 think he had a flannel, um, like a colorful flannel. As far as colors, I'm not
110 100% sure.
111
112 Q: Okay.
113
114 A: He just looked a little bit colorful.
115
116 Q: How old do you think he was?
117
118 A: Uh, if my guess he's in his 20's, early 20's.
119
120 Q: Okay and - and do you - do you remember seeing what kind of hair did he
121 have?
122
123 A: Not off hand. I - I know it's black, uh, nappy but other than that I didn't get a
124 facial because it happened so fast.
125
126 Q: Yeah.
127
128 A: And as I picked up my head he's already passin' me, um...
129
130 Q: Did you see him - did you see his hands? Did he have anything in his hands
131 when he was running?
132
133 A: Not to my knowledge that I could see.
134
135 Q: Okay, y...

136
137 A: Although I didn't focus on his hands I just saw the body as he's passing...
138
139 Q: Uh-huh.
140
141 A: ...and I turn my head and then I see him hop the wall, pretty much just throw
142 his hands up and just get over the wall.
143
144 Q: Okay and then you saw the officers running after him. The officers that were
145 running did you see, uh, how did you know they were officers? Were they in
146 uniform?
147
148 A: They - they were in uniform but you could also see like some kind - I think
149 you saw a detective badge.
150
151 Q: Okay. Uh...
152
153 A: Uh, some f- some form or another.
154
155 Q: Did you see any - anything in their - in their chest with - with the word police
156 or anything like that or on their back?
157
158 A: I think one gentleman had that.
159
160 Q: Okay.
161
162 A: And that was the - the gentleman that had a goatee.
163
164 Q: Okay.
165
166 A: Who was primarily over by me the whole time.
167
168 Q: All right, did you, uh, were you in a position to see or hear what lead to this
169 whole thing?
170
171 A: Uh, no.
172
173 Q: Okay so you don't know where that guy - the - the gentleman you described
174 was running from, you didn't see, uh, where he came from.
175
176 A: I didn't see where, uh-huh, I'm - from - I'm gathering he came from the drive-
177 thru section area.
178
179 Q: Uh-huh.
180

181 A: Um, but I didn't see any altercations over there. I did then see the officer
182 after, uh, several minutes. Uh, one of the officers that were chasin' went back
183 to the drive-thru and had his gun drawn, uh, I'm believing that may be the
184 suspect was in one of those vehicles, um, one of the vehicles that were there.
185
186 Q: Okay. And what kind of car do you drive sir?
187
188 A: I drive a, uh, Nissan, not Nissan, a, um, Kia, 2003 Kia Optima.
189
190 Q: And what color?
191
192 A: Uh, beige.
193
194 Q: Okay and you're parked all the way on the east side, um, next to the access
195 road to, uh, Sunrise Boulevard.
196
197 A: Yes.
198
199 Q: Is that right?
200
201 A: The access road and the drive-in...
202
203 Q: Okay.
204
205 A: ...drive-thru.
206
207 Q: So you're at - right next to - to the drive-thru it will be to your west where
208 you're parked is that right?
209
210 A: Yes.
211
212 Q: Okay, um, anything else that you can remember about this whole thing that
213 you think will be useful to my investigation?
214
215 A: Um, not that I can think of.
216
217 Q: Okay, uh, one quick question though. When you say you heard, uh, the shots
218 and you said three or four shots do you know if they were coming from the
219 same gun or do you think it might've been a second person...
220
221 A: It was comin' from the same gun.
222
223 Q: Same gun they were rapid fire.
224
225 A: Yeah, they were rapid.

226
227 Q: Dah - dah - dah - dah - dah.
228
229 A: Yeah, yep. It was pa - pa - pa - pa.
230
231 Q: Okay, all right, um...
232
233 A: Yeah, it was consistent. Same sound - same - same rhythm. You know?
234
235 Q: Okay.
236
237 A: Pullin'.
238
239 Q: All right.
240
241 A: It was an automatic it was just one after the other boom - boom - boom -
242 boom - boom.
243
244 Q: Okay, um, I don't have any more questions. Is there anything else you'd like
245 to add to your statement that I haven't asked you that you think will be useful
246 to the investigation?
247
248 A: Uh, not that I can think of no.
249
250 Q: All right, this is gonna conclude the audio recorded statement of the witness
251 Patrick Hanley as given to Detective Almanzar. The time now is 1:18 pm.
252
253
254 Reviewed By _____

Civilian Witness
Tyler Hankerson

INTERVIEW WITH TYLER HANKERSON

Q=Det. Almanzar

A=Tyler Hankerson

Q: The following will be the sworn audio recorded statement of the witness Tyler Hankerson as given to Detective Almanzar of the Fort Lauderdale Police Department. Today's date is, uh, November 30, 2016 and the time is approximately 4:35 pm. This statement is in reference to case number 16-174939 which is an incident that occurred on November 28, 2016 at approximately 12:15 pm. The incident occurred at the address of 2300 West Sunrise Boulevard in the City of Fort Lauderdale, Broward County, State of Florida. Tyler, can you tell me your full name and spell your last name?

A: Tyler (Lee) Hankerson H-A-N-K-E-R-S-O-N.

Q: And what's your date of birth?

A: April 22, 1997.

Q: Tyler, do you realize that I'm a Detective with the Fort Lauderdale Police Department?

A: Yes sir.

Q: And as such the state empowers me to take your statement under oath. Please raise your right hand. Do you swear to tell the truth, the whole truth and nothin' but the truth?

A: Yes.

Q: You can lower your hand.

A: Tyler can you tell me in your own words, uh, where were you on - and when what happened, uh, on Monday, November 28th, 2016 at approximately 12:20 pm?

Q: I was on my lunch break and I decided to go to McDonalds and I was in the drive-thru and - when an incident occurred.

46
47 Q: Okay, uh, what kind of car were you driving?
48
49 A: Uh, black Kia Optima.
50
51 Q: Okay could you tell me what you saw?
52
53 A: Um, well what I heard and saw at the same time - when I was, um, paying I
54 heard a police officer yelling, um, "Get out the car - get out the car." And so I
55 looked and I saw someone from the driver's seat - the back seat on the
56 driver's side, I saw that person get out and I just see a car comin' my way and
57 I was blowin' my horn because I thought it was very close from hitting me.
58
59 Q: Mm-hm.
60
61 A: And I just saw them jump the curb and I saw the police started shootin' at the
62 car.
63
64 Q: Okay, um, let me ask you a few questions then. So you go to McDonalds.
65 You're in a drive-thru and - and there's a car in front of you. Do you
66 remember what kind of car it was?
67
68 A: A Ford Fusion.
69
70 Q: And do you remember what color?
71
72 A: Tan.
73
74 Q: Was it older or newer?
75
76 A: It wasn't a new-new car so I would say it's like a 2011, 2012.
77
78 Q: Okay, um, do you remember the tag?
79
80 A: No sir.
81
82 Q: Okay. Do you know how many people were inside that car?
83
84 A: Um, well a driver...
85
86 Q: Right.
87
88 A: ...and I just saw one person get out.
89
90 Q: Okay, just...

91
92 A: From the...
93
94 Q: ...just the driver's side - I mean the rear?
95
96 A: The driver's side at the rear, I saw that person get out.
97
98 Q: That's the only person you saw get out?
99
100 A: I did.
101
102 Q: Okay, um, so you're paying and all you hear is police saying, "Get out - get
103 out," did you happen to look up when you - when you heard that?
104
105 A: I looked up and that's when I saw commotion.
106
107 Q: What did you see?
108
109 A: I saw police yelling at the car...
110
111 Q: How many police?
112
113 A: I don't remember.
114
115 Q: Okay, um, they were yelling at the car, which car?
116
117 A: At the car in front of me the Ford Fusion.
118
119 Q: Okay.
120
121 A: To get out.
122
123 Q: And - and what happens after they start yelling, "Get out - get out?"
124
125 A: Um, I saw guns bein' drawn and they were saying, "Get out - get out - get
126 out," and...
127
128 Q: The police had their guns drawn.
129
130 A: Yes.
131
132 Q: Okay.
133
134 A: And the driver - the person on the driver's side in the pass - the rear...
135

136 Q: Yeah.
137
138 A: They got out.
139
140 Q: Okay.
141
142 A: And...
143
144 Q: Can you describe him? What did he look like?
145
146 A: I turned - I did not look.
147
148 Q: You didn't want to see him?
149
150 A: No.
151
152 Q: Okay so - to this day right now you don't even remember what he looks like?
153
154 A: No I don't.
155
156 Q: You couldn't recognize him if you saw him again?
157
158 A: No.
159
160 Q: Okay, um, okay so he gets out and what happens next?
161
162 A: He gets out the car and I just see the car comin' my way and I instantly just
163 start blowing the horn and I saw the car jump the curve...
164
165 Q: Uh-huh.
166
167 A: And I just saw he was on the sidewalk kind of to - Sunrise.
168
169 Q: Yeah.
170
171 A: And I just saw the police start shooting at the car. And I just saw it take off.
172
173 Q: Okay. Did you see when he was goin' over the curve in the direction he was
174 heading?
175
176 A: Yes.
177
178 Q: Um, was it, um, were there any police officers in front of the car?
179
180 A: Yes.

181
182 Q: Okay, and then when you heard them saying, "Get out - get out," um, and they
183 were trying to get, obviously, the people in the front of the car out the driver
184 obviously did not comply.
185
186 A: No sir.
187
188 Q: When he started drivin' towards the police officers and they started, uh,
189 shooting how many shots do you remember hearing?
190
191 A: I can't even answer that. I don't remember. I just was hearin' shots.
192
193 Q: Do you know how many officers, eh, uh, shot?
194
195 A: No sir.
196
197 Q: Okay, um, did the - the driver of that car - of the Fusion he did stop at any
198 point in time?
199
200 A: No.
201
202 Q: After he - he kept goin'?
203
204 A: Yes.
205
206 Q: So he didn't stop. Did you see which direction he went?
207
208 A: He went West.
209
210 Q: On Sunrise.
211
212 A: On Sunrise Boulevard.
213
214 Q: Okay now because of where the McDonalds is on the South side of the road
215 there is no e- there is no way for, uh, him to get straight to the westbound lane,
216 so he had to go on that (unintelligible)...
217
218 A: Oh, yeah...
219
220 Q: ...did you see that?
221
222 A: He hopped the curve...
223
224 Q: Uh-huh.
225

226 A: ...and then - it's - my directions - it's the lane right here...
227
228 Q: Right.
229
230 A: And you have the medium.
231
232 Q: Right.
233
234 A: He went into the middle and that's how he went to the - goin' west.
235
236 Q: Okay, he - after he went over that - that curb and the sidewalk...
237
238 A: Yeah.
239
240 Q: ...then he go - went over it again?
241
242 A: Went to the - no he didn't go over the median.
243
244 Q: Towards the median...
245
246 A: He went towards the middle...
247
248 Q: Uh-huh.
249
250 A: ...of the intersection.
251
252 Q: Intersection? Okay.
253
254 A: And that's how he got out.
255
256 Q: Okay, um, anything else that you can remember that, uh, that happened
257 around there, that - I mean obviously there was a lot of police officers...
258
259 A: It was...
260
261 Q: ...that came.
262
263 A: ...a lot of police officers and once that car got out I remember the, um, guy
264 went to the window and had a drink in his hand.
265
266 Q: (Unintelligible).
267
268 A: So the - the ladies in the McDonalds got him his drink.
269
270 Q: Do you know the person that got out of the car from the re- the...

271
272 A: The rear...
273
274 Q: ...driver's side of the rear...
275
276 A: He had a drink in his hand.
277
278 Q: Okay.
279
280 A: And...
281
282 Q: Wh- which - which way did he go do you remember if the police...
283
284 A: No.
285
286 Q: ...uh, put him into custody? Did they put him in handcuffs?
287
288 A: I didn't see any of that.
289
290 Q: Okay. How - how long did you stay there before you were able to leave
291 approximately?
292
293 A: Um, well I know I s- I got back to work around 12:30 'cause I moved - once
294 all that happened I moved up to the next window.
295
296 Q: Right.
297
298 A: To see if I could get my food and they were sayin' no. And the police officer
299 came from the side and told me to back out.
300
301 Q: Okay so you didn't get your food?
302
303 A: And I - no.
304
305 Q: Okay.
306
307 A: I backed out and just left.
308
309 Q: Okay, um, you say you got to work back at 12:30. Do you, um, where do you
310 work? What add- what's the address of where you work?
311
312 A: Um...
313
314 Q: Like how far away from the McDonalds is what I'm to get that - get at.
315

316 A: Um, not even five minutes away.

317

318 Q: Okay, so, all right. Um, anything else that you can think of that you think will
319 be useful to the investigation?

320

321 A: No.

322

323 Q: All right. This is gonna conclude the audio recorded statement of the witness
324 Tyler Hankenser- Hankerson as given to Detective Almanzar. The time is now
325 4:42 pm.

326

327

328 Reviewed By _____

Civilian Witness
Lavette Magnus

INTERVIEW WITH LAVETTE MAGNUS

Q=Det. Mark Breen

A=Lavette Magnus

1
2
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10
11
12 Q: The following will be a statement of Lavette Magnus, M-A-G-N-U-S. As
13 given to Detective Mark Breen of the Fort Lauderdale Police Department in
14 reference to case #34-1612 (should be 1611) - 174939. This statement is
15 being taken at the intersection of, uh, Northwest...

16
17 A: Eighth Court.

18
19 Q: ...24th Avenue and 8th Court on, uh, Monday November 28, 2016 at 1:37 pm.
20 Okay Lavette, uh, please state your full name and spell your last name for me.

21
22 A: Lavette Shatreon Magnus, M-A-G-N-U-S.

23
24 Q: Okay and as you know I'm a detective with the Fort Lauderdale Police
25 Department which em- empowers me to take statements under oath.

26
27 A: Mm-hm.

28
29 Q: Will you raise your right hand? Do you solemnly swear to tell the truth, the
30 whole truth, and nothing but the truth so help you God?

31
32 A: Yes.

33
34 Q: Okay just a minute ago, um, at, uh, 1:33 pm I had an officer, um, Torres from
35 the Fort Lauderdale Police Department remove a person from a marked police
36 car.

37
38 A: Mm-hm.

39
40 Q: Did you get a, uh, an opportunity to view that person?

41
42 A: Yes.

43
44 Q: Okay. Is there anything obstructing your sight of view from him?
45

46 A: No.
47
48 Q: Okay. And is that, uh, the person that you described to me as having dreads
49 that fled from the car?
50
51 A: No.
52
53 Q: That's not him? Okay do you know if this person was in fact in the car at all?
54
55 A: He mighta been the passenger.
56
57 Q: But you're unsure?
58
59 A: Yes.
60
61 Q: Okay. And that person is the one that you described that ran, um, uh...
62
63 A: Backwards through the driveway.
64
65 Q: ...west or eastbound through the, uh, drive-thru?
66
67 A: Yes.
68
69 Q: But you're uncertain whether or not this is that person?
70
71 A: Yes.
72
73 Q: Okay. Anything else?
74
75 A: No.
76
77 Q: Okay. That's gonna conclude this statement on Monday 11-28-2016 at 1:38
78 pm.
79
80
81 Reviewed By _____

Victim
Ashton Benn

INTERVIEW WITH ASHTON BENN

Q=Det. M. Breen

A=Ashton Benn

- 1
2
3
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6
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9
10
11
12 Q: The following will be a statement of Ashton Benn, B-E-N-N, as given to
13 Detective Mark Breen of the Fort Lauderdale Police Department in reference
14 to Case Number 34-1612 (should be 1611) -174939. This statement is being
15 taken in, uh, West Palm Beach, Florida on Monday, November 28, 2016 at
16 5:37 pm. Ashton will you state your full name and spell your last name for
17 me?
18
19 A: Ashton (Wayne) Benn, B-E-N-N.
20
21 Q: And what is your date of birth sir?
22
23 A: April 6, 1993.
24
25 Q: Okay. Ashton as you know I'm a detective with the Fort Lauderdale Police
26 Department which empowers me to take statements under oath. Will you
27 raise your right hand? Do you solemnly swear to tell the truth, the whole truth
28 and nothing but the truth so help you God?
29
30 A: I do.
31
32 Q: Okay. Um, you are the, uh, registered owner of a silver 2012 Ford Fusion
33 four door and VIN Number, it's the ID Number on the car, is 3F as in Frank,
34 A as in Alpha, H as in Hotel, P as in Papa, 0 H as in Hotel, A as in Alpha, X
35 as in X-Ray, C as in Charlie, R as in Romeo, 253848. That's the VIN Number
36 of record. And it's got a, uh, Maine tag of 9326 Uniform or U, G as in Golf.
37 Um, is - are you the registered owner of that vehicle?
38
39 A: That is correct.
40
41 Q: Okay. Um, goin' back to, um, uh, Tuesday November 1, 2016, uh, did you
42 report that vehicle stolen?
43
44 A: I did.
45

46 Q: And that was to the West Palm Beach Police Department?
47
48 A: Correct.
49
50 Q: Uh, just for the record their case number is 2016-0019658. Um, according to
51 their report it was stolen from a, uh, parking lot of a Holiday Inn at 1301
52 Belvedere Road in West Palm Beach, Florida. Is that correct?
53
54 A: That is correct.
55
56 Q: Okay. Can you - can you give me an idea what the circumstances were on
57 how that vehicle was stolen?
58
59 A: Yes. Um, me and my father drove down from Maine for a job in Florida. We
60 ended up staying at the Holiday Inn in West Palm Beach. Arrived around 8
61 pm. Woke up the next morning around 8 and saw the car was gone. Another
62 car couple spots over, the passenger side window was broken into and some
63 belongings were stolen as well. My car had, uh, spare key in the center
64 console and all my belongings in the trunk and in the back seat. And when we
65 woke up in the morning the car was gone.
66
67 Q: Okay. The, um, when you said it had, uh, belongings it's, uh, recorded in the,
68 uh, in the police report of - that West Palm took from you, um, looks like a
69 TV, a, um, a computer, some - a cashier's check. There was a spare key in
70 the, uh, in the car as well as golf clubs, air mattress and, uh, clothing and
71 whatnot. Is that correct?
72
73 A: That is correct.
74
75 Q: Have you, uh, been contacted in regards to any of that stolen property prior to
76 today?
77
78 A: Have not.
79
80 Q: Okay. Um, what's your dad's, uh, full name?
81
82 A: His name is Wayne Robert Benn, B-E-N-N.
83
84 Q: And, um, are you, uh, the car is registered in your name as well as your
85 father?
86
87 A: Yes.
88
89 Q: Okay. What address were you livin' at in, um, in Maine?
90

91 A: 111 Lowell Town Road, Wiscasset, Maine, 04578.

92

93 Q: Okay. And do you have a, uh, permanent address, um, here in West Palm
94 Beach?

95

96 A: I do for the season. It's in, um, Ibis Reserve Apartments over in West Palm
97 Beach, Florida.

98

99 Q: Okay. And what's the address, do you know?

100

101 A: Think it's 8300 Ibis Reserve Circle, West Palm Beach, Florida, 33412.

102

103 Q: Okay. And what type of work do you do?

104

105 A: I work in the bag drop at Frenchman's Reserve at the golf course currently
106 right now.

107

108 Q: Okay. And do you have a, uh, a contact number, a phone number?

109

110 A: For the golf?

111

112 Q: For y- for you personally.

113

114 A: I do yes. 207-319-2000.

115

116 Q: Okay. Um, prior to, uh, to taking a statement from you about the car, um, I
117 went over a, uh, consent to search form. Uh, authorizing me, uh, permission
118 to search the car. Do you have any issues with that at all?

119

120 A: I do not.

121

122 Q: And you signed that on the bottom here.

123

124 A: I did.

125

126 Q: Okay. Um, you presently have one key to the car. Is that correct?

127

128 A: That's correct.

129

130 Q: All right. Um, would it be a problem for you to turn that - that key over to me
131 for me to - to continue on, uh, with our investigation so that I can get access to
132 the car in the event that there is no key in it?

133

134 A: Wouldn't be a problem at all.

135

136 Q: Okay. Um, what - what kind of, uh, condition was the car in, uh, prior to
137 being stolen? Was - did it have any body damage that you're aware of?
138
139 A: The only body damage it had was on the front end on the right by the tire.
140 There was a little hole in the, uh, in the grill but that was it. Everything else
141 was perfect condition.
142
143 Q: Okay. Um, any firearms that you're aware of that may have been in the car?
144
145 A: No sir.
146
147 Q: Any ammunition?
148
149 A: No sir.
150
151 Q: Any, uh, weapons at all, knives, uh, explosives, anything at all like that?
152
153 A: The only thing I think of are kitchen knives.
154
155 Q: Okay.
156
157 A: That I had packin' up.
158
159 Q: All right. Anything else that you think maybe important?
160
161 A: No sir.
162
163 Q: All right. This is gonna conclude this statement as given to Detective Mark
164 Breen on Monday, uh, November 28, 2016 at 5:42 pm.
165
166
167 Reviewed By _____

Detective
Thomas Vazquez

INTERVIEW WITH OFC. THOMAS VAZQUEZ**Q=Det. Mark Breen****Q1=Ofc. Vincent Castiglia****A=Ofc. Thomas Vazquez**

1
2
3
4
5
6
7
8
9
10
11
12
13 Q: Yeah. What time is it?

14
15 A: 2:43.

16
17 Q: All right. Okay the, uh, following, uh, will be a statement of Officer Thomas?

18
19 A: Yeah, first name Thomas.

20
21 Q: How do you spell your last name?

22
23 A: V-A-Z-Q-U-E-Z.

24
25 Q: E-Z?

26
27 A: Correct.

28
29 Q: Okay. As given to Detective Mark Breen of the Fort Lauderdale Police
30 Department in reference to case #34-1610 (should be 1611) -174939. This
31 statement is being taken at the Fort Lauderdale Police Department, 1300 West
32 Broward Boulevard, Fort Lauderdale, Florida 33312. On, um, uh, November
33 28, 2016 at 2:43 pm. Um, would you please state your full name and spell
34 your last name for me?

35
36 A: Uh, first name is Thomas, last name Vazquez, V-A-Z-Q-U-E-Z.

37
38 Q: Okay and what is your, uh, IBM number or CCN?

39
40 A: C- uh, 1550.

41
42 Q: Okay. Um, you go by your first name Tommy?

43
44 A: Tom.
45

46 Q: Tom?
47
48 A: People call me Tom, yeah.
49
50 Q: Okay. Tom as you know I'm a detective with the Fort Lauderdale Police
51 Department which empowers me to take statements under oath. Will you
52 raise your right hand? Do you solemnly swear to tell the truth, the whole
53 truth, and nothin' but the truth so help you, God?
54
55 A: I do.
56
57 Q: Okay. Um, what, uh, what is your current assignment and, uh, shift that
58 you're workin' today?
59
60 A: I'm at detective with the ROC Unit in the Street Crimes Division. And I work
61 from 8:00 to 1800 hours.
62
63 Q: Okay and you were working today?
64
65 A: Correct.
66
67 Q: And, uh, normally do you work with a partner?
68
69 A: Yes.
70
71 Q: And who is your partner?
72
73 A: Steve Johnson.
74
75 Q: Were you guys both in one car?
76
77 A: One car, right.
78
79 Q: Okay.
80
81 A: I was the driver.
82
83 Q: All right.
84
85 A: And we also had, uh, Chris in the car as well. Just today - Chris Toriano.
86
87 Q: Chris Toriano?
88
89 A: Right.
90

91 Q: Okay. Um, you were driving, uh, what vehicle? What city vehicle number if
92 you know?
93
94 A: I have a leased vehicle.
95
96 Q: Okay.
97
98 A: It's an unmarked lease, no lights or anything like that.
99
100 Q: Is that car here or is that at the scene?
101
102 A: No it's - it's here.
103
104 Q: Okay.
105
106 A: At the station.
107
108 Q: So - so you moved it from the location?
109
110 A: Right.
111
112 Q: Sometime after, uh, after the incident occurred?
113
114 A: That's correct.
115
116 Q: Okay. Um, Steve Johnson was the passenger front?
117
118 A: He was the front passenger.
119
120 Q: And Chris Toriano was sitting...
121
122 A: Yes in the...
123
124 Q: ...in the rear?
125
126 A: ...the right rear passenger.
127
128 Q: Okay. Uh, what information did y- did you have in regards to, uh, a stolen
129 car?
130
131 A: A stolen car was spotted by, uh, Officer Falzone. Um, as we were responding
132 we were coming from the east, or westbound on Sunrise. It said, uh, got an
133 update that the car was in the drive-thru at the McDonalds.
134
135 Q: Okay, um, what, uh, radi- who was on the radio as far as in your car?

136
137 A: Um...
138
139 Q: Anyone at all?
140
141 A: ...I think we have one on a district channel and then two on our TAC channel.
142
143 Q: Okay.
144
145 A: That's our channel now.
146
147 Q: The, uh - uh, the talk around or the direction of this particular car - this stolen
148 car...
149
150 A: Mm-hm.
151
152 Q: ...was that done on, uh, main channel or on the tactical channel?
153
154 A: I think it was TAC and then we were instructed to go to, uh, main channel.
155
156 Q: Okay what information did - did ya have about the car?
157
158 A: That it was a, uh, a gray Ford Fusion that was in the drive-thru. I believe it
159 had a outta state tag. I couldn't tell you the exact tag on it.
160
161 Q: Okay. Um, number of, uh, occupants if you know?
162
163 A: Um, I don't remember that off-hand. But afterward it was - I think it was
164 multiple times (unintelligible).
165
166 Q: Okay and as you were, uh, as you got close to the area what did you do?
167
168 A: We got close to the area, I looked over to my left and I seen that the car was in
169 the drive-thru. Um, I went south on 24 Avenue from Sunrise and as I came in
170 I parked the car on the south side of the McDonalds.
171
172 Q: Okay.
173
174 A: Where I still h- kinda had a visual of the nose of the car.
175
176 Q: Okay. And you pull in towards - facing south or did you back...
177
178 A: I'm facing...
179
180 Q: ...facing more of the...

181
182 A: ...I'm facing east.
183
184 Q: Oh you're...
185
186 A: On the...
187
188 Q: ...facing east?
189
190 A: ...on the south side of the McDonalds.
191
192 Q: Okay. What could you, uh, what could you observe from your position?
193
194 A: Well soon as Steve Johnson had got out and he walked over to the drive-thru
195 area. As I, ya know, put my car in drive as soon as I got outta the car I seen
196 the car just, ya know, accelerating. Um, or...
197
198 Q: And that would have been the gray Ford Fusion?
199
200 A: Correct.
201
202 Q: Okay.
203
204 A: Correct. Yeah. I - I seen it accelerate in the direction of, uh, Falzone.
205 Falzone was kinda - I seen him kinda spin outta the way, what looked like, ya
206 know, i- it looked like the car actually hit him, struck him. Um, I heard a
207 couple shots fired. I couldn't tell if the shots were comin' from the car or from
208 our officers.
209
210 Q: Okay.
211
212 A: So...
213
214 Q: Um, did you recognize, uh, Falzone from working with him?
215
216 A: Right. Right.
217
218 Q: And where in relationship to the drive-thru? Where was he at?
219
220 A: Well, um, it appeared he w- ya know, from my standpoint it looked like he
221 was like towards, ya know, the right of the car.
222
223 Q: Towards the?
224

225 A: The right. Not - not - I- not in front of the car but like towards the, uh, driver's
226 side of the car.
227
228 Q: Okay. Towards the driver's side of the car. Do you know what kinda car he
229 may have been operating? Falzone?
230
231 A: Well I know he drives a green Ford Fusion.
232
233 Q: Okay.
234
235 A: Right.
236
237 Q: And was that anywhere, uh...
238
239 A: I don't r- I don't remember...
240
241 Q: ...that you recall?
242
243 A: ...seeing it. No.
244
245 Q: Did you...
246
247 A: I just remember h- seein' him on foot.
248
249 Q: Okay he was...
250
251 A: Yeah.
252
253 Q: ...you just saw him on foot?
254
255 A: Right.
256
257 Q: Were there any other cars - unmarked cars or marked cars that may have been
258 in the area that, uh, either obstructed or tried to stop the, uh, forward
259 progression...
260
261 A: I don't...
262
263 Q: ...where this guy was goin'?
264
265 A: ...I don't - I don't remember that, no.
266
267 Q: Okay.
268
269 A: No.

270
271 Q: Um, other than Falzone did you see any other officers?
272
273 A: I know, uh, Jones was I guess behind him.
274
275 Q: Okay. Jones was behind Falzone?
276
277 A: But not directly behind him but like behind him by...
278
279 Q: In a gen...
280
281 A: ...it might- mighta...
282
283 Q: ...in a...
284
285 A: ...yeah in the general area. It might have been on the other side of the car. I
286 don't...
287
288 Q: Okay. Okay. And when you say that y- yeah the car drove o- f- towards or in
289 a...
290
291 A: I- in the...
292
293 Q: ...in the general direction of...
294
295 A: Yeah.
296
297 Q: ...where they were at. How far away were they?
298
299 A: It looked like, uh, I mean there was some distance bu- but him accelerating
300 that fast he got on him pretty quick. And it looked like he went straight and
301 then eventually vir- ya know, he - he turned over to the right back onto
302 Sunrise.
303
304 Q: Okay.
305
306 A: So he ac- he definitely accelerated forward and then he cut hard to the right.
307
308 Q: Okay.
309
310 A: He went over some, uh, I think there was bushes there. He went over that and
311 to Sunrise.
312
313 Q: Okay.
314

315 A: To the opposite lane of...
316
317 Q: And you - you...
318
319 A: ...travel.
320
321 Q: ...believe that Falzone may have been hit by...
322
323 A: It...
324
325 Q: ...this car?
326
327 A: ...looked like he was like - when I looked it looked like he was on the hood of
328 the car almost.
329
330 Q: Okay.
331
332 A: It kinda spun.
333
334 Q: Now I know - I - I realize things happened at a - at a very quick...
335
336 A: Quick, yeah.
337
338 Q: ...s- quick, uh - uh, tempo. But, uh, do you know if the - if the gunshots that
339 you heard were they prior to Falzone bein' struck by the car? Or were they
340 after Falzone got struck by the car? If you recall.
341
342 A: No I don't know - recall that. Just...
343
344 Q: Okay.
345
346 A: ...remember seein' it happened so quick I just remembered shots. Like I say I
347 don't know if the shots are comin' from the car or into the car or n...
348
349 Q: Okay.
350
351 A: ...what that (unintelligible).
352
353 Q: Um, did you ever, uh, get to a position where you could identify any, uh,
354 anyone in - in the, uh, in the gray Ford Fusion?
355
356 A: No.
357
358 Q: Okay and that car, uh, what direction did it flee?
359

360 A: It went westbound on the eastbound lanes of Sunrise. And then it cut back
361 over I believe when it got to 24 and yeah back to the westbound lanes.
362
363 Q: Okay.
364
365 A: Um...
366
367 Q: Um, was anybody in pursuit of the car?
368
369 A: No I didn't see anyone.
370
371 Q: All right.
372
373 A: We, ya know, we went back to my car and we went back out to Su- but there
374 was no way for me to get onto s- back onto Sunrise and I know I believe Chris
375 went running eastbound and south towards the one guy that bailed outta the
376 car. So I just - we went back on, uh, 24 Avenue to head south, I just pretty
377 much took a perimeter point from there.
378
379 Q: Okay. When you say Chris you're referrin' to...
380
381 A: Toriano.
382
383 Q: ...who? Toriano?
384
385 A: Yeah - yeah.
386
387 Q: Um, the person that - that Chris, um, chased on foot do you know his
388 involvement, um, in this particular car? Uh...
389
390 A: No, I know someone bailed and they put a description out.
391
392 Q: Okay...
393
394 A: And...
395
396 Q: ...but you didn't see that?
397
398 A: No. No.
399
400 Q: All right. Did you see - ever see Chris in pursuit - foot pursuit of this person?
401
402 A: From a distance. I just seen him kinda east...
403
404 Q: Okay.

405
406 A: ...of the parking lot of the...
407
408 Q: Y...
409
410 A: ...McDonald's.
411
412 Q: All right and the person that he was chasing, uh, were you in a position where
413 you can identify that guy?
414
415 A: No.
416
417 Q: No?
418
419 A: No.
420
421 Q: All right. Um, did you ever see that person who was bein' pursued by...
422
423 A: Mm-mm.
424
425 Q: ...Toriano?
426
427 A: I...
428
429 Q: Did you ever see that person in possession of a firearm?
430
431 A: No.
432
433 Q: Did you see a firearm recovered later on?
434
435 A: No.
436
437 Q: Okay. Um, anything else?
438
439 A: No. I'm good.
440
441 Q: Um, do you know wh- how many gunshots you may have heard?
442
443 A: I may- I - I think I heard two or three.
444
445 Q: Okay.
446
447 A: Maybe.
448
449 Q: Um, in regards to Falzone can ya describe for me, uh, what...

450
451 A: Wh...
452
453 Q: ...he was wearin'? Was he in casual clothes?
454
455 A: Uh he's lookin' - he looked like he had his tactical vest on with jeans on.
456
457 Q: Okay.
458
459 A: Um...
460
461 Q: Uh, the vest obviously, uh, has...
462
463 A: Yeah it has...
464
465 Q: ...had a placard of police...
466
467 A: ...placard police.
468
469 Q: ...on the front?
470
471 A: Yes.
472
473 Q: Okay.
474
475 A: Front and back.
476
477 Q: And what about Jones?
478
479 A: He was also wearin' his police vest...
480
481 Q: Okay.
482
483 A: ...as well.
484
485 Q: Okay. Did you hear...
486
487 A: He might have had a baseball cap on.
488
489 Q: ...did you hear either, uh, Jones or Falzone or any other officers who may
490 have been on this - on the scene. Did you hear any verbal commands from
491 any of 'em?
492
493 A: Uh, not - not that I recall.
494

495 Q: Okay. All right. Anything else?

496

497 A: No.

498

499 Q: Okay.

500

501 A: That's it.

502

503 Q: Uh, any?

504

505 Q1: No, sir.

506

507 Q: All right this will conclude the statement as, uh, given to Detective Mark
508 Breen on 11-28-2016 at, um, 2:54 pm.

509

510

511 Reviewed By _____

Detective
Mark Clark

INTERVIEW WITH DET. MARK CLARK**Q=Det. M. Shotwell****Q1=Det. Maniates****Q2=Det. Moseley****A=Det. Mark Clark**

Q: The following statement is reference case number 16-174939. Statement is of Officer Mark Clark C-L-A-R-K, ID number 1662 of the Fort Lauderdale Police Department. The statement's being taken on 112816 and is commencing at 1416, correction 1406 hours. Also present for the taking of the statement if you just give me your last name and ID - ID number.

Q1: Detective Maniates M-A-N-I-A-T-E-S, 1208.

Q2: Detective Moseley M-O-S-E-L-E-Y, 1748.

Q: All right, um, this is a voluntary statement, uh, concerning an incident, uh, a shooting that occurred a little earlier this afternoon sometime around 12:00, 12:30 I don't have the exact time, uh, near the McDonalds on West Sunrise, 24, 2500 block are you familiar with that incident at all?

A: Yes.

Q: Can you tell me when you first, uh, became involved or realized that there was any kind of an issue?

A: Um, Detective Falzone and Jones were riding together. They advised they located a stolen vehicle on the McDonald's parking lot. I started that way...

Q: So you weren't there initially I (unintelligible).

A: I was not there.

Q: Okay. Uh, what happens next?

A: I came in the area, stood by in the 2300 Block of Sunrise on the, uh, north side of the road, um, and units advised they were gonna move up to the vehicle to attempt like a felony stop.

46
47 Q: Was your understanding initially and I realize you weren't there so I'm just
48 asking for what you - you pulled from the radio transmission that the vehicle
49 was occupied, that it was parked unoccupied, that it was movin' that it was not
50 movin'?

51
52 A: That it was occupied.
53

54 Q: Okay, um, they say that they're getting ready to move up on it what next?
55

56 A: I saw their cars moving up towards the suspect vehicle and as they moved up I
57 saw the Fusion start to reverse in the drive-thru lane.
58

59 Q: What color was the Fusion?
60

61 A: Like gray.
62

63 Q: I mean light, dark - I don't really need the color.
64

65 A: It's like gray or silver.
66

67 Q: Okay, uh, the vehicle - now when you say the Fusion is this the - the suspect
68 vehicle? The - the stolen vehicle that you're let- you believe?
69

70 A: Yes.
71

72 Q: Black - backin' up in the drive-thru towards what?
73

74 A: Just other cars in the drive-thru.
75

76 Q: All right, what happens next?
77

78 A: As I was moving I saw one of the doors open and somebody started to get out.
79

80 Q: Okay.
81

82 A: And when I saw that I got out and started to run towards the, uh, subject
83 getting out.
84

85 Q: Is this car a four door or a two door?
86

87 A: Four door.
88

89 Q: And which door was that - that opened do you remember?
90

91 A: I don't remember.
92
93 Q: Was it on the passenger or driver side?
94
95 A: I don't remember.
96
97 Q: The car's backin' up...
98
99 A: I couldn't really...
100
101 Q: Okay.
102
103 A: ...at this point.
104
105 Q: That's fine.
106
107 A: I just remember he got out of the car so I started to get out of mine.
108
109 Q: All right, what happens then?
110
111 A: Uh, he started running eastbound through the drive-thru lane. I started
112 running up towards the drive-thru lane as well.
113
114 Q: Now are you - are you behind him? Are you coming from the same direction
115 how are you approachin' the drive-thru?
116
117 A: I was straight across the street in the turn lane to turn south on Sunrise
118 facing...
119
120 Q: Okay so you...
121
122 A: ...westbound.
123
124 Q: ...came - you came across eastbound lanes of traffic.
125
126 A: Yes.
127
128 Q: To get there.
129
130 A: Yes.
131
132 Q: On foot or in your car?
133
134 A: Foot.
135

136 Q: Okay, um, you run up, he starts goin' eastbound you said, uh, you follow?
137
138 A: Yes, I started running east. I heard what sounded to be gunshots from behind
139 me.
140
141 Q: Okay. What did you do then?
142
143 A: I started to turn back north to - just in case there's - it was gunshots and I
144 didn't want to get shot in the back or anything, um, and they stopped, so - and
145 I continued the across the, uh, drive-thru lane after the suspect that jumped
146 out.
147
148 Q: Now the guy that you were focused on, the one that your were pursuing or
149 starting to pursue that was heading eastbound, did he also stop when the
150 gunshots rang out or did he continue?
151
152 A: No he kept going.
153
154 Q: You can take that. Give me a brief description of him.
155
156 A: He looked like he was about 5'10" to 6 feet, um, like, unclean style hair, like
157 kind of nappy, uh, medium complexion. He had on, uh, like, dark colored
158 shorts with white stripes goin' down the side and a blue long-sleeve shirt when
159 I first saw him.
160
161 Q: A male?
162
163 A: Yes.
164
165 Q: Uh...
166
167 A: Black male.
168
169 Q: ...like black, white?
170
171 A: Black male, skinny, maybe like 175 or something.
172
173 Q: Anything else unusual that you noticed?
174
175 A: Not upon first seeing him no.
176
177 Q: Did you see a weapon on him?
178
179 A: I saw him drop one yes.
180

181 Q: Okay.
182
183 A: As he was getting to the wall on the south side of McDonalds. He was facing
184 away, I saw the gun, um, just fall to the ground from like his body area
185 because he was facing away and as he did that he dropped the gun and then
186 turned back and look at me - looked at me after he did it then he jumped the
187 wall.
188
189 Q: Okay do you know if that gun was recovered?
190
191 A: Yes I, um, I jumped the wall to go after him. I saw I'm not sure what officer it
192 was behind me, but like I said he just dropped the gun and then I saw Troiano
193 and ended up at the top of the wall and I asked him to just stay with the gun.
194
195 Q: Did you - I got lost there for a minute. Did you pursue over the wall?
196
197 A: Yes.
198
199 Q: Um, did you ever catch him?
200
201 A: No.
202
203 Q: Okay. What area were you when you lost him?
204
205 A: I saw him last going south and then the 2300 Block of 9th Street.
206
207 Q: Okay. Uh, what do you do then?
208
209 A: Uh, I set up a perimeter, I don't know if it came across or not, it seemed like it
210 didn't, um, for that subject and then e- eventually just walked back to my car.
211
212 Q: Now what - what was the - do you know what was happenin' with the car
213 while this was going on? The uh, the - was it the Fusion?
214
215 A: No.
216
217 Q: Okay, um, when you get back to the McDonalds is the car still there?
218
219 A: No.
220
221 Q: Are any of the other subject - subjects still there?
222
223 A: I didn't see anybody.
224
225 Q: Okay, um, how many people do you see get out of that car?

226
227 A: Just the one.
228
229 Q: Okay. Patrol ends up taking somebody into custody. Did you get a chance to
230 take a look at this guy that they took into custody?
231
232 A: Yes.
233
234 Q: And who is that?
235
236 A: I - didn't get the name.
237
238 Q: Well I mean how did he factor in - was he involved in this incident?
239
240 A: Yes, he was the subject that I was chasing after...
241
242 Q: Okay.
243
244 A: ...from the McDonalds.
245
246 Q: That's why just to clarify this because I - I missed something maybe. You
247 pursued him, he drops the gun, he goes over the wall...
248
249 A: Mm-hm.
250
251 Q: ...and you lose him.
252
253 A: Yes.
254
255 Q*: Somebody takes him into custody.
256
257 A: Yes.
258
259 Q: Or somebody takes a black male into custody.
260
261 A: Correct.
262
263 Q: Um, did you go to that location where they took him into custody?
264
265 A: Yes I did.
266
267 Q: And what location was that?
268
269 A: It was on 8th Court, like the 22, 2300 Block.
270

271 Q: Do you know which officer took him into custody?
272
273 A: No.
274
275 Q: Okay. Now, uh, wh- when you had a chance to view him, uh, how certain are
276 you that's the same individual that you pursued that dropped the firearm?
277
278 A: I was certain it was him.
279
280 Q: Okay, uh, I got a photograph here. It's, um, it's just a - a snapped photograph
281 that was sent to me, uh, do you recognize the individual in this photograph?
282
283 A: Yes.
284
285 Q: And who is that? How do you recognize him?
286
287 A: That's the subject that jumped out of the car, ran. I ID'd him on-scene.
288
289 Q: Okay. This is the subject that got out of the car and ran.
290
291 A: And dropped the firearm.
292
293 Q: Dropped the firearm and that went over the fence.
294
295 A: Correct.
296
297 Q: Okay, um, just down here on his shoulder where it's lighter, put your initials
298 and today's date. It's the 28th and your ID number. Did you have any other
299 involvement as far as any of the other individuals or the car or anything after
300 that?
301
302 A: No.
303
304 Q: All right, uh, anything else you wanna add that I didn't ask you?
305
306 A: No.
307
308 Q: Let me clarify one thing. At any point did you discharge your firearm?
309
310 A: No.
311
312 Q: Did you utilize any other weapon?
313
314 A: No.
315

316 Q: That concludes the statement the time is 1415 hours.

317

318

319 Reviewed By _____

Detective
Chris Troiano

INTERVIEW WITH DET. CHRIS TROIANO

Q=Det. M. Shotwell

Q1=Det. (Paul) Maniates

Q2=Det. Moseley

A=Det. Chris Troiano

Q: The following statement is going to be reference case number 16-174939.
The following will be the statement of Detective Chris Troiano T-R-O-I-A-N-O, 1698 or 6?

A: 8.

Q: 1698 ID number. The statements being given to Detective Shotwell of the Fort Lauderdale Police Department on 111 - correction 112816 as commencing at 1431 hours. Also present for this statement...

Q1: Detective (Paul) Maniates M-A-N-I-A-T-E-S, 1208.

Q2: Detective Moseley M-O-S-E-L-E-Y, 1748.

Q: Uh, Detective Troiano can you raise your right hand for me? Do you swear or affirm the statement you are about to give me is the truth?

A: I do.

Q: Can you give me your, uh, full name and CCN?

A: Uh, Chris Troiano, 1698.

Q: Chris how long have you been with Fort Lauderdale Police Department?

A: About eight years.

Q: And what's your current assignment?

A: Uh, Detective with the ROC Division, ROC.

Q: And were you working in that assignment today?

46
47 A: Yes.
48
49 Q: This afternoon? Uh, my understanding is that you had some involvement in
50 an incident that occurred somewhere around 1300 hours, uh, 2400 Block West
51 Sunrise near the McDonalds is that correct?
52
53 A: Yes.
54
55 Q: Uh, when did you first become involved in that?
56
57 A: Um, we were notified via radio that, uh, other guys in our unit were - had eyes
58 on a stolen vehicle.
59
60 Q: Okay. Just to, you know, I think I missed this on the earlier statement, uh,
61 how were you dressed this afternoon?
62
63 A: Uh, I was in, uh, plain clothes with my police vest on that says police across
64 the front and on the back.
65
66 Q: Now I've taken statement from a couple of the other officers and I knew there
67 were other officers at the scene. Were all of you in the same attire?
68
69 A: Um, I believe so.
70
71 Q: Plain clothes, marked police vests - police front and back that type of...
72
73 A: Correct.
74
75 Q: ...attire? Okay. Um, when - when you first heard, uh, the information on the
76 vehicle what - where were you?
77
78 A: On Sunrise Boulevard.
79
80 Q: Okay what did you do then?
81
82 A: Um, we proceeded to head towards the area and, uh, once - once we got in the
83 area of, uh, where the car was at the McDonalds, uh, we went into the parking
84 lot.
85
86 Q: All right, uh, what do you see when you go into the parking lot?
87
88 A: Uh, from where we pulled into you could, uh, make out I believe it was a
89 silver vehicle at the drive-thru, uh, and then we pulled it - which the drive-thru
90 is on the north side the - of the building. We pulled in on the south side of the

91 building and as we were pulling in, uh, our units were moving in, starting to
92 make contact with the car.
93
94 Q: Okay now was your understanding that this was the stolen car - the one in the
95 drive-thru?
96
97 A: Correct.
98
99 Q: Uh, where did you approach the car from?
100
101 A: Um, I didn't approach the vehicle. I was getting out. I was, uh, riding with,
102 uh, two other detectives in one vehicle. Uh...
103
104 Q: Who else was in your car?
105
106 A: Detective (Vasquez) and Detective Johnson.
107
108 Q: Okay.
109
110 A: Um, when I got out of the back door I slid the door open, um, I heard, uh, I
111 believe I heard, "Runner, he's running," on the radio. Uh...
112
113 Q: Now when you - you said you slid the back door open?
114
115 A: Yeah.
116
117 Q: Which - back passenger or back driver?
118
119 A: Uh, back passenger.
120
121 Q: Okay, uh, anybody in there?
122
123 A: Uh, we were in the van. That's the van I'm talkin' about...
124
125 Q: Oh...
126
127 A: ...that we were in.
128
129 Q: ...okay, all right.
130
131 A: Yeah.
132
133 Q: You're not up to...
134
135 A: I'm not up to the car the - the - this - the stolen vehicle no.

136
137 Q: Right.
138
139 A: This is the van that we're drivin' in, um, and that's me getting out of the van,
140 rear driver slide door.
141
142 Q: All right, uh, what happens next?
143
144 A: So I get out. I start to head towards the vehicle. I never broke the corner of
145 the building. I hear, uh, "Running," over the radio and then I, uh, hear shots.
146 I hear shots fired. I start to proceed...
147
148 Q: Do you know where the shots came from?
149
150 A: Uh, they came from where the stolen vehicle was.
151
152 Q: But I mean do you know who - who's firing the shots.
153
154 A: Uh, no.
155
156 Q: Okay.
157
158 A: Uh, so then I proceed to run, uh, east on the south side of the building and
159 then I see a black male wearing a light blue shirt running east, uh, southeast in
160 the parking lot.
161
162 Q: Did you see him - could you describe him other than the light blue shirt?
163
164 A: Um, short twisties. I saw the back and the side of his head as he was running.
165
166 Q: Did you ever see his face?
167
168 A: Uh, no I don't believe...
169
170 Q: Okay.
171
172 A: ...I ever saw his face, uh, but...
173
174 Q: He - he's running - he's running where?
175
176 A: He's running in a southeast direction in the parking lot from the drive-thru
177 entrance.
178
179 Q: Okay. What happens next?
180

181 A: Um, I gave him several commands to stop. There were two other detectives,
182 uh, not too far behind him.
183
184 Q: Do you know who they were?
185
186 A: I believe it was Detective Guerra and Detective Clark.
187
188 Q: Okay.
189
190 A: Um, continued to chase, he jumped over the wall didn't - didn't lis- obey any
191 of my, uh, lawful commands. As he jumped over the wall I go to look down
192 to plant my feet to go up over the wall and I see a gun on the ground right
193 where he left, um, and I decided to stay with the gun and, uh, Detective Clark
194 and Detective Guerra, uh, proceeded after.
195
196 Q: What did the gun look like?
197
198 A: Uh, it was a black, uh, hammered, black, um, handgun and...
199
200 Q: So...
201
202 A: ...the hammer was cocked back on it.
203
204 Q: Was it a semi-automatic or a revolver?
205
206 A: A semi-auto.
207
208 Q: Okay, um, did you leave the gun before it was collected?
209
210 A: Uh, yes.
211
212 Q: Okay. Did somebody else take over?
213
214 A: Yes, a road officer, I'm not sure who that was but a road officer did...
215
216 Q: Okay.
217
218 A: ...uh, stand by that gun.
219
220 Q: Uh, what do you do next? What's your involvement next?
221
222 A: Um, I just went back to the, uh, drive-thru area. Made sure all our officers
223 were okay, uh, and everybody was preoccupied on perimeter.
224

225 Q: Was the - when you went back to the drive-thru area was the suspect vehicle
226 still there?

227
228 A: Uh, no.

229
230 Q: Did you ever see anybody else, you personally, other than the one subject that
231 got out and ran?

232
233 A: No I did not.

234
235 Q: Okay, um, any of the officers injured that you know of?

236
237 A: I believe one of our officers, Detective Falzone did go to, uh, the hospital due
238 to injuries that he received from the incident.

239
240 Q: Okay - when - was your position such that you could see how the vehicle was
241 backing up or were you just - were you comin' around McDonalds when that
242 was happening?

243
244 A: No I - I couldn't see that from where I was.

245
246 Q: Okay, um, any other involvement?

247
248 A: Uh, no, that's it.

249
250 Q: Okay. Anything you want to add that I haven't touched on?

251
252 A: Uh, no.

253
254 Q: That concludes the statement. The time is 1437 hours.

255
256

257 Reviewed By _____

Detective
Steven Johnson

INTERVIEW WITH DET. STEVE JOHNSON

Q=Det. M. Shotwell

A=Det. Steve Johnson

Q: The following statement is gonna be reference case number 16-174939. The following will be the statement of Detective Steven Johnson J-O-H-N-S-O-N, ID 1706. This statement is being given to Detective Shotwell of the Fort Lauderdale Police Department on 112816 and is commencing at 1442 hours. Uh, Steven, as a Sworn Police Officer within the State of Florida I have authority to take a sworn statement. Do you swear or affirm the statement you are about to give me is the truth?

A: I do.

Q: Okay. Let me have your full name and your, uh, CCN number.

A: Steven S-T-E-V-E-N Johnson J-O-H-N-S-O-N and my CCN is 1706.

Q: Uh, Steven how long have you been with the department?

A: Uh, about eight and a half years.

Q: And what's your current assignment.

A: Uh, Detective in the Rapid Offender Control, uh, squad.

Q: And were you so, uh, employed and at work today?

A: Yes.

Q: Now how were you dressed today?

A: Uh, the way I am now wearing jeans and a T-shirt but I have my outer ballistic police vest clearly marked police, uh, I had my firearm visible and - and my badge.

Q: Is it just marked police on the front or on the back?

46 A: On the front and back with our Fort Lauderdale Police insignia.
47
48 Q: Uh, somewhere around 12:30, 1 o'clock this afternoon there was an incident
49 over around the McDonalds 2400 Block of West Sunrise Boulevard. Were
50 you aware of this?
51
52 A: Yes.
53
54 Q: When did you first become aware or how did you become aware that there
55 was something goin' on?
56
57 A: Um, Detective, uh, I believe Falzone notified, uh, other detectives on - on the
58 channel that we commonly use, um, that he had observed a possible, uh,
59 stolen vehicle in the drive-thru at the McDonalds...
60
61 Q: Do you remember...
62
63 A: ...in question.
64
65 Q: ...anything about the vehicle that he put over the radio?
66
67 A: Um, that it was a - a gray, I believe Ford Fusion with an out of state tag. I
68 believe with a tag out of Maine.
69
70 Q: Okay. Uh, where were you when you got this - when you heard this come
71 over the radio?
72
73 A: Uh, I was in, uh, a car along with, uh, Detective (Vasquez) was driving and
74 Detective Troiano was seated behind me and we were, uh, off of Sunrise
75 Boulevard. I can't remember exactly which, uh, block.
76
77 Q: Okay, um, you hear the information go over what do you do?
78
79 A: Uh, he requested our assistance and so we started makin' our way to the area,
80 um, Detective (Vasquez) we - we drove over there and, um, we tried to
81 coordinate, uh, a - a stop the vehicle.
82
83 Q: All right so you - do you ultimately make it there or...
84
85 A: Yes, um, we...
86
87 Q: What do you see when you arrive?
88
89 A: We ob- I observe the, uh, the suspect vehicle - the gray Ford Fusion at the -
90 the window of the drive-thru.

91
92 Q: Okay. What happens next?
93
94 A: Um, believe, uh, detectives, uh, enter the - the McDonald's lot, uh, Detective
95 (Vasquez) pulled his car alongside the - the south side of the McDonalds, um,
96 it was...
97
98 Q: Now you were sittin' in this - in (Vasquez)'s car correct?
99
100 A: Yeah, in the front passenger seat.
101
102 Q: Okay.
103
104 A: Um, I observed some detective's cars, uh, looked like they were gonna go
105 conduct a stop of the vehicle, um, at which time I exited Detective (Vasquez)'s
106 car and made my way over to where the drive-thru was at.
107
108 Q: Okay, um, so you approached on foot not in the vehicle.
109
110 A: Correct.
111
112 Q: All right, uh, what happens next?
113
114 A: Um, when turning the corner I observed the - the gray Ford Fusion, um, it
115 app- it app- I obviously - appeared to be the police, um, I drew my firearm on
116 the vehicle to provide lethal cover, uh, to conduct a stop. The driver appeared
117 like he was - well he opened the door and exited.
118
119 Q: The driver did?
120
121 A: Yeah, well I think initially they - they backed the vehicle up and then the
122 driver exited momentarily as well as the back seat passenger and the front seat
123 passenger.
124
125 Q: Okay.
126
127 A: They bailed from the vehicle, um, I saw that they were exiting the vehicle and
128 I approached on foot to attempt to detain one of them.
129
130 Q: Which - which one did you approach?
131
132 A: The - the driver.
133
134 Q: Okay. What's the vehicle doin' while you're doin' this?
135

136 A: Well it was reversing - it looked like they were getting ready to bail to evade
137 arrest.
138

139 Q: Okay. So you approached the driver. What happens?
140

141 A: He gets back in the car and I'm, you know, giving him commands, "Stop,
142 police, turn the car off." He guns it in the drive-thru, um, as he pa- he passes
143 me and at that point I heard some - some gunshots go off.
144

145 Q: Okay could you see, uh, who was doing the firing?
146

147 A: Um, I know that Detectives, uh, Jones and Falzone were - would be in front of
148 the vehicle. I - I - I didn't observe...
149

150 Q: Well I just want to know what you saw. If you saw either one of them
151 discharge their firearm.
152

153 A: I didn't see any flashes from their muzzle.
154

155 Q: Okay.
156

157 A: They did have their firearms drawn and I did hear gunshots go off.
158

159 Q: Okay, uh, and that was - they were - the two of them Jones and - and Falzone
160 were the only ones up front?
161

162 A: Correct.
163

164 Q: But you didn't actually see the firearm discharge?
165

166 A: Correct.
167

168 Q: Okay, um, what happens next?
169

170 A: Um, the vehicle then, uh, goes through - or over the - the curb onto where
171 there's some bushes, I guess that - that border Sunrise. He goes into the
172 eastbound lanes of traffic - op - opposite traffic, goes through the light, uh, at
173 Sunrise and, uh, South - or I'm sorry Northwest 24 Avenue and, uh, flees
174 westbound.
175

176 Q: Okay, um, does anybody - who gets out of the car that doesn't get back in?
177 Are you aware of anybody gettin' out of the car?
178

179 A: Of the suspect car?
180

181 Q: Right.
182
183 A: Uh, the only person that got back in was the driver.
184
185 Q: Okay. Do you know where everybody else went?
186
187 A: Um, I - I believe they ran. Wh- when I - when I turned back around I didn't
188 see any more suspects.
189
190 Q: I'm just askin' about you. Did you follow anybody else or did you chase
191 anybody else or...
192
193 A: At that point I got back in my car and, uh, it sounded like patrol units were
194 setting up because they - possibly observed another suspect running, uh, north
195 - or sorry southbound towards like 9th Street, 8 Court area, uh, east of 24
196 Avenue.
197
198 Q: Okay.
199
200 A: Um, I got out on f, uh, we made our way there in, uh, Detective (Vasquez)'s
201 vehicle. I exited again as I felt they were probably gonna be in the general
202 vicinity. Um, at one point it was determined that they were gonna be near the
203 8 Court area in like the 2200 Block of the dead end. Um, I walked with Det,
204 uh, CAN Officer (Cabrera), uh, Officer (Branner) and, uh, Sergeant
205 (Magnum), um, when we came to I believe it was the final, um, building or
206 apartment. I'm not sure the - the exact number, uh, Detective (Branner), I held
207 uh, provided lethal cover on the top part of the stairway and Detective
208 (Branner) cleared the stairwell at which time he came in contact with - with
209 the final suspect - or the suspect wearing the blue shirt and, uh, Detective
210 (Torres) had arrived as well and he was taken into custody.
211
212 Q: Okay. The - the subject that was taken into custody in the stairwell, you were
213 there when he was taken into custody.
214
215 A: Yes.
216
217 Q: Um, was this one of the same individuals that got out of the car?
218
219 A: Yes.
220
221 Q: How sure are you?
222
223 A: A hundred percent.
224
225 Q: And do you know which - where he was in the car?

226

227 A: I believe the front passenger seat.

228

229 Q: Okay so that wasn't the driver that you had struggled with.

230

231 A: No.

232

233 Q: All right and you told the officers on-scene that that's him, that's one of the
234 ones that got out of the car?

235

236 A: Yes.

237

238 Q: All right, I'm gonna show you a photograph and I know you already made an
239 on-scene identification. Do you recognize that individual?

240

241 A: Yes.

242

243 Q: Okay who is that?

244

245 A: He's gonna be the suspect that, uh, we had just talked about, the one who
246 exited the front passenger seat of the car, the one that was taken into custody.

247

248 Q: Did you personally see anybody with any weapons, any of these occupants?

249

250 A: I didn't.

251

252 Q: Okay. You just, uh, your initials, your CCN and today's date 11-28
253 somewhere up on there. So you do the walk-through with (Cabrera), they take
254 this guy into custody, uh, I'm not sure of what his name is but you're certain
255 it's the same guy what do you do then?

256

257 A: Um, at that point he was handed off to I believe Officer (Torres) and Officer
258 Campbell and we made our way back over to the scene, uh, near the
259 McDonalds and I was met with a union rep.

260

261 Q: Okay any other involvement as far as the car or the people or anything else?

262

263 A: No.

264

265 Q: Anything else that I didn't ask you that you want to add?

266

267 A: No.

268

269 Q: Anything? That concludes the statement. The time is 1450 hours.

270

271

272

Reviewed By _____

Detective

Matthew Guerra

INTERVIEW WITH DET. MATT GUERRA

Q=Det. M. Shotwell

Q1=Det. (Paul) Maniates

Q2=Det. Moseley

A=Det. Matt Guerra

Q: The following statement is reference case number 16174939. The following is the statement of Officer Matt Guerra G-U-E-R-R-A, uh, it's CCN 1769. This statement is being given to Detective Shotwell of the Fort Lauderdale Police Department on 112816 and it's commencing at 1417. Present for the statement are...

Q1: Detective (Paul) Maniates M-A-N-I-A-T-E-S, 1208.

Q2: Detective Moseley M-O-S-E-L-E-Y, 1748.

Q: Uh, Matt as a sworn police officer within the State of Florida I have the authority to take a sworn statement. Can you raise your right hand for me? Do you swear or affirm the statement you are about to give me is the truth?

A: Yes.

Q: Okay let me have your - your full name and your CCN for the record.

A: Matthew M-A-T-T-H-E-W last name Guerra G-U-E-R-R-A.

Q: Uh, Matthew how long have you been with Fort Lauderdale Police Department?

A: Seven years.

Q: Okay, uh, my understanding is - is you were, uh, on-duty, um, on patrol this afternoon when an incident somewhere around the McDonalds 2400, 2500 West Sunrise occurred. Is that correct?

A: Yes.

Q: Do you remember about what time that was?

46
47 A: Uh, about a little after noon.
48
49 Q: Okay. When did you first become aware that there was something goin' on?
50
51 A: Uh, about noon a little, uh, about - about that time, uh - uh, detectives got on
52 the air on our channel and advised that there was a possible stolen vehicle in
53 the, uh, drive-thru at McDonalds.
54
55 Q: Do you know who that was that advised?
56
57 A: Uh, Detective Falzone and Jones.
58
59 Q: And were you in a solo car or were you in a car with another officer?
60
61 A: I was by myself.
62
63 Q: And what did you do when you heard this?
64
65 A: Um, I wasn't too far off, I headed towards, uh, um, I staged in, uh, Valero until
66 we got more units, um, which is right across the street from McDonalds.
67
68 Q: That's the one directly on the, uh, west side?
69
70 A: Yes.
71
72 Q: What happens then?
73
74 A: Uh, once we had enough units, um, decided, uh, since the vehicles in the
75 drive-thru would be better to do a felony stop there, um - um, and we moved
76 in to do a felony stop.
77
78 Q: Okay, um, how many officers were there when - when that happened? Did
79 you - just the ones that you noticed? The ones you saw?
80
81 A: I think there was about five or six.
82
83 Q: Okay do you remember who they were?
84
85 A: Uh, I believe it was, uh, it was Falzone, Jones, myself, Clark, um, Johnson and
86 I believe Troiano.
87
88 Q: Okay, uh, you move in towards the car - are you movin' in - on foot? Is
89 everybody on foot or some in a car?
90

91 A: I was the first car so I drove, um, through the drive-thru, head-on towards the
92 vehicle. The vehicle stopped, um, and, like, dealing with the, uh, person in
93 the window. Um, everyone else I'm not 100% because I was in front of where
94 they were at.
95
96 Q: Okay so you pulled in front. Did that block the path of the vehicle?
97
98 A: Yes.
99
100 Q: All right, what happens next?
101
102 A: Um, we - I - I lighted up, um, they - I see a lot of movement in the -
103 movement in vehicle, um, get out, uh, the passenger starts to open the door -
104 front seat passenger opened the door. Um, I go to try to make contact with
105 him at this point, um, other detectives are with me, and, um, movin' towards
106 the vehicle, um, the passenger is getting out and the vehicle goes in reverse.
107 Uh, vehicle goes in reverse...
108
109 Q: How many are out - how many have gotten out at this point?
110
111 A: In the car?
112
113 Q: Right.
114
115 A: Um, I only paid attention to the car and the front passenger - his front
116 passenger was closer to where I was and he was - he was the first one that I
117 saw that was tryin' to run so I focused on him, um, I s- pretty su- sure I saw
118 someone in the back seat in the driver's side but I didn't see if they got out or
119 what they did.
120
121 Q: Okay.
122
123 A: I saw the door opening but I didn't see anybody...
124
125 Q: So the front passenger gets out what happens then?
126
127 A: Um, I start movin' towards him and the car starts gumming - coming straight
128 towards, uh, me and the detectives. I'm kind of at an angle where it's like I
129 was fa- I felt more comfortable just tryin' to, uh, jump out, uh, towards more
130 east to, uh, avoid the path of the vehicle.
131
132 Q: Okay.
133
134 A: Um, and the vehicle gunned it, uh, west through the drive-thru and jumped,
135 like, towards the other detectives, and, um, over a curb.

136

137 Q: Could you see who it was heading toward?

138

139 A: No, I - I was more focused on - again, I was focused on the car because it was
140 coming towards - turning towards me so I tried to just jump out of the way,
141 and, um, and then from there, uh, Clark - I saw, uh, Clark was going, was
142 running after, uh, the front passenger so I decided to continue pursuing with,
143 uh, Clark.

144

145 Q: So it's both of you - both you and Clark were - pursued the same guy.

146

147 A: Correct.

148

149 Q: Did you see the - what kind of car was this?

150

151 A: Uh, a gray Ford Fusion.

152

153 Q: Okay. Did you see this car strike anybody?

154

155 A: I did not. Once it kind of cleared me, um, I - I - I just...

156

157 Q: I'm just askin' what you saw.

158

159 A: No that was it, that's all I saw. Once I jumped - I jumped out of the way and
160 once I jumped out of the way, I figured - I didn't think the car was gonna be
161 able to get out 'ca - of - of where it was at so I just focused my attention back
162 on the passenger and went after the passenger.

163

164 Q: Okay. What happens then?

165

166 A: Um, well during that time obviously I heard, uh, I heard some gunshots. Um,
167 and I just kept chasin' after, um, the, uh, the front passenger who's wearing a
168 long sleeve blue shirt, he had like a - like a nappy twisty afro thing, um, black
169 male, he had like, uh, blue shorts or pants on and he had on a, uh, blue and
170 white shoes on.

171

172 Q: Okay, uh, when you heard the shots did you know where they were comin'
173 from?

174

175 A: It sounded like, well, no, I didn't really didn't know where they come from.

176

177 Q: Did you know who they were comin' from?

178

179 A: No.

180

181 Q: Okay, um, you're pursuin' the black male that you described. Did you actually
182 see any of the other occupants out of the car?
183

184 A: No, I did not.
185

186 Q: Okay.
187

188 A: I didn't see them.
189

190 Q: How far do you pursue him and what happens next?
191

192 A: I keep running around the McDonalds, um, I saw, like a black object fall from
193 his, uh, like his waistband area, like right before he was jumpin' over the wall,
194 and um, it - it was a gun is what it was. Um, I jumped over the wall, um, after
195 him. They had a little bit of a distance ahead of me, um, Clark and the front
196 passenger so I jumped over further - I ran further east, um, and jumped over
197 the wall, um, and then...
198

199 Q: Now this wall that you're talkin' about you jumped over where is it?
200

201 A: It's on the south side of the McDonalds.
202

203 Q: Okay.
204

205 A: So I - I jumped over the wall at a different angle to see if he was waiting in the
206 backyard or, um, whatnot and once I jumped over and Clark jumped over, um,
207 we ran to the next block and I kind of, like, paralleling Clark almost, and then
208 he - I think he veered off, excuse me towards 24 Avenue and I kept goin'
209 south to try to, um, see if I can beat him to the next block if he was going to
210 the next block. Um, as I kept goin' I gotten all the way down to I believe, uh,
211 I thought - I - I saw someone run around the corner and so I kept goin' south
212 to - that'd be - I think it was 9 Court, um, or behind a backyard so when I went
213 ahead and cut the backyard I saw his, uh, long sleeve, um, shirt on the ground
214 in the backyard, um, but I didn't see him anywhere.
215

216 Q: Okay, so you never caught up to him.
217

218 A: No.
219

220 Q: Um, the - the firearm did you ever get a chance to go back and see what type
221 of firearm it was?
222

223 A: Um, it was just black. I couldn't, uh, tell you...
224

225 Q: Re...

226
227 A: ...what kind.
228
229 Q: Revolver or semi-auto...
230
231 A: It was semi-automatic.
232
233 Q: Okay.
234
235 A: But...
236
237 Q: Did it look like he dropped the gun or it fell out of his waistband?
238
239 A: I - I couldn't tell you if he dropped it. He made some kind of movement I
240 don't know if he - it was like he was tryin' to readjust or if he had it in his
241 hand, um, it ju- it just I know it - it fell from him.
242
243 Q: Okay.
244
245 A: From his person.
246
247 Q: Within the next - well patrol took a subject into custody is that correct?
248
249 A: Yes.
250
251 Q: About how long after that - after the foot pursuit were you made aware that
252 somebody was in custody?
253
254 A: Uh, say less - probably about 30 minutes.
255
256 Q: Okay, um, black male, white male?
257
258 A: Black male.
259
260 Q: Did you have a chance to go and see the subject they took into custody?
261
262 A: Yes.
263
264 Q: Do you know where this was?
265
266 A: I think it was like in the 2200 Block of 8th Court, somethin' like that.
267
268 Q: And did you recognize the individual?
269
270 A: I did.

271
272 Q: And who did you recognize him as?
273
274 A: It was the front passenger that we had just chased.
275
276 Q: Okay, um, I'm gonna show you a photograph here and ask you if you
277 recognize this picture.
278
279 A: Yes.
280
281 Q: And who's that?
282
283 A: That's the, uh, front passenger.
284
285 Q: Okay, so just to clarify for the statement, this is a photograph of a - a black
286 male a- and you're identifying this as the same subject that you had chased
287 that dropped the firearm and that you ultimately identified when stopped by
288 patrol.
289
290 A: Yes, correct.
291
292 Q: Okay. Could you initial somewhere on that shoulder, uh, CCN and today's
293 date. It's the 28th. For the purpose of the statement the, uh, the subject
294 identified is gonna be Deonte D-E-D-E-O-N-T-E Deonte D-E-O-N-T-E
295 (Rashaad) and I'm not even gonna try this - I'm not even sure. You're - how
296 certain are you that that's the same subject that was taken into custody?
297
298 A: A hundred percent.
299
300 Q: Okay, uh, after - after this goes on, uh, you chase, you come back to
301 McDonalds ultimately. Was the car still there?
302
303 A: The bad guy car?
304
305 Q: Bad guy car?
306
307 A: No.
308
309 Q: Were any of the subjects still there? The other subjects?
310
311 A: I didn't see them. I heard on the radio that there was someone taken into
312 custody at the vehicle, um, I didn't see them or who it was.
313
314 Q: Okay after you identify the, um, the individual do you know who had custody
315 of him? Whose car he was in?

316
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343

A: Um, it was in a patrol car so it was either, uh, I believe it was either Campbell or (Danny Torres).

Q: Okay, um, after you identified him do you have any other involvement in this?

A: Um, no I - after that I went back to the scene and I was separated.

Q: Okay.

A: Oh I - I did stop by and grab a marked, um, patrolman to say, let him know about the loss of the T-shirt in the backyard.

Q: Okay.

A: And then I was separated.

Q: Uh, anything else that I haven't asked you that you want to add to this statement?

A: No.

Q: Anything? That concludes the statement. The time is 1428 hours.

Man: Good job.

Reviewed By_____

Accused Detective
Johnathan Jones

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INTERVIEW OF Det. Johnathan Jones

Q = Detective Almanzar

A = Det. Johnathan Jones

1
2
3
4
5 Q The following will be a sworn statement of Officer Johnathan Jones as
6 given to Detective Almanzar of the Fort Lauderdale Police Department
7 today's date is December 12th, 13th, 2016 and the time is
8 approximately 11:12 AM. This statement is being taken at the Fort
9 Lauderdale Police Department in the CID conference room here
10 present with us is also Detective Shotwell and also Counsel Michael
11 Dutko. This statement is reference to case number 16-174939 which
12 is an incident that occurred on November 28th, 2016 at approximately
13 12:15 PM the incident occurred at the address of 2300 West Sunrise
14 Boulevard which is also known as a McDonald's in the City of Fort
15 Lauderdale, Broward County, State of Florida. Officer Jones do you
16 realize I'm a detective with the Fort Lauderdale Police Department?

17 A Yes.

18 Q And as such the state empowers me to take your statement under
19 oath, raise your right hand do you swear to tell the truth the whole
20 truth and nothing but the truth?

21 A Yes I do.

22 Q You can lower your hand detective tell me your full name and spell
23 your last name?

24 A Johnathan Jones, J-O-N-E-S.

25 Q And what's your CCN?

26 A It's 1-7-0-1.

27 Q Alright can you tell me where do you work, how long you've worked
28 uh here and um in what capacity right now?

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- 29 A Uh employed with the City of Fort Lauderdale Police Department and
30 I'm currently assigned to the Rapid Offender Control Unit as a
31 detective previously I was uh Field Training Officer on road patrol I did
32 that for 2 years I want to say and then prior to that um I was attached
33 to the Neighborhood Action Team did that for I want to say 2 ½ years
34 and prior to that I was road patrol and did a little bit of time in the
35 Burglary unit, Burglary detective bureau and then before that uh for a
36 total of just over 8 years.
- 37 Q Okay any law enforcement before that?
- 38 A No.
- 39 Q Okay um in the Rapid, Rapid Offender Squad what, what do you guys
40 do what is your guys task?
- 41 A Um basically we go out and we try to uh respond to all in progress
42 robberies, burglaries, auto thefts, grand thefts and um you know pro-
43 active patrol.
- 44 Q Okay is that in uniform or plain clothes?
- 45 A Uh plain clothes.
- 46 Q Okay what kind of gun do you carry?
- 47 A Uh during the time of the incident I was carrying a Glock 17, 9 MM.
- 48 Q Is that what you carry all the time?
- 49 A Yes for the most part there are sometimes that I carry a, a Glock 30 its
50 sub compact 45.
- 51 Q Okay um that day you were working you were on duty?
- 52 A Yes.
- 53 Q November 28th and you were working um in plain clothes?
- 54 A Yes.
- 55 Q Can you tell me what you were wearing that day?

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56 A That day I was wearing jeans, t-shirt and uh on top of that I had my
57 police tactical vest that has POLICE in big block letters has my badge
58 on there, has my name um and it also has POLICE on the front of it.
59 Q Alright let's just talk about the incident now um at what time did you
60 guys come on shift that day?
61 A Um I believe 7:30 AM.
62 Q Okay and tell me about now how you guys come across this car and
63 what happened?
64 A Well I was the passenger in Detective Falzone's car he was driver um
65 we observed the vehicle in the 1600 block of Northwest 27th Avenue I
66 think it was actually like 15 Court or something like that.
67 Q Okay.
68 A Um we observed the vehicle started going southbound on 27th Avenue.
69 Q Okay.
70 A Um the vehicle ended up behind us um because it was pulled out at
71 the stop sign the vehicle is behind us we pulled over on the side of the
72 road the vehicle passed us um we filled in behind tried to get the tag
73 couldn't see the tag um the vehicle proceeded southbound went to 11
74 Street went east bound we stayed behind once we got up to 24th
75 Avenue the car made a right hand turn we also made the right hand
76 turn and we had a vehicle that was in between us so we weren't able
77 to see what the tag was or even run it at this point um once we got to
78 24 and Sunrise uh red light went green proceeded south the um
79 suspect vehicle made a left hand turn into the McDonald's the car that
80 was in between us continued south so at this point when we got to the
81 parking lot we were able to actually see the uh main tag that was
82 attached to it um the vehicle pulled into the drive thru of the
83 McDonald's we continued out to where the stop sign is that's right

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84 there at the end of the parking lot uh on a path that would lead you to
85 Frontage Road right there.

86 Q Uh huh.

87 A We stopped at the stop sign I went over to the records channel on our
88 police radio checked the tag, the tag came back as stolen uh stolen
89 vehicle out of West Palm Beach once we got confirmation that it was a
90 stolen vehicle we did a u-turn um in that little area there's like a
91 cement plant right there I don't know the name of it but we pulled out
92 did a u-turn came back in the parking lot while this is going on and we
93 had confirmation my partner, Detective Falzone, went over to our TAC,
94 TAC channel and he advised that we're out with a stolen vehicle gave
95 the description, location, requested additional units to come over um
96 at that point we had uh several of the other ROC units key up, go
97 Enroute, um Sergeant Dameron was monitoring the radio uh he was
98 on and acknowledged um he advised us to go over to main channel so
99 while my partner stayed on the ROC TAC channel I switched over to
100 our main dispatch channel and I began to put all the information out
101 so we could request patrol units to assist us with the felony stop um
102 req, gave everything description of the vehicle, uh where they were at,
103 uh patrol said they were in Enroute to us um on the TAC channel while
104 I was giving that information out um there were I believe Detective
105 Guerra was already arrived he was in Valero which was just west of
106 the McDonald's in the parking lot staging and then we had uh
107 Detective Vasquez uh Johnson and I think Troiano was with them they
108 were also uh just arriving on scene so once we had all 3 of them 3 of
109 us there essentially there were 5 or 6 of us I want to say at that point
110 in time we decided to do our felony stop Detective Guerra um drove in
111 and drove up the drive thru lane activated his lights his emergency

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112 siren um and began the felony stop we followed by we, I mean
113 Detective Falzone and I who were in his vehicle followed him up the
114 drive thru uh and we started our felony stop at that point in time once,
115 as soon as the lights went on um the suspect vehicle immediately
116 slammed his car into reverse doors started opening up um it looked
117 like the uh driver's side passenger rear door um tried to pop open but
118 nobody was getting in or out it just popped open so wasn't really sure
119 what was going on with that but it definitely looked like everybody was
120 getting ready to bail out of the vehicle um I saw a door on the
121 passenger side open up I couldn't be sure if it was the driver
122 passenger or if it was the rear passenger but I saw.

123 A (Attorney Dutko) Front passenger?

124 A I think yeah I think it was the.

125 A (Attorney Dutko) Driver, front passenger or rear passenger.

126 A Yeah I think it was the rear passenger door from what I could tell
127 because everything was happening so fast it popped open and at this
128 point the car like I said everything was happening so fast it slammed
129 into reverse and the driver very noticeably cut the wheel sharply to the
130 right um and when he's doing that like I said the door on the
131 passenger side is opening up, the driver side door I kind of lost focus
132 of that I know it had popped, it opened the rest of the way but I
133 couldn't really be certain if somebody had bailed at that point from
134 that side of the car because I was so focused on the passenger side
135 where I saw a black male with a blue t-shirt spring up, twisties haircut
136 and he starts running uh as the vehicle is now in motion forward so we
137 have like all this kind of chaos going on all at once doors are opening,
138 people are bailing out and all of a sudden the vehicle is now uh full
139 speed ahead towards Detective Falzone and from my vantage point all

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140 I could see it happened so fast all I could see is that the Detective
141 Falzone instantly was up on the hood of the vehicle um at this point I
142 heard 2 shots ring out but I couldn't tell where they were coming from
143 uh at that point in time I just saw him get hit I heard 2 shots ring out
144 uh Detective Falzone falls off the car and now at this point the car is
145 high rate of speed uh starts coming in my direction and not only in my
146 direction on the sidewalk there I can see there's people at the bus
147 bench there's people on the sidewalk there um at which point in time I
148 was in fear for my life and I discharged my firearm 2 rounds at the uh
149 the subject who was coming in my direction uh as soon as I fired
150 those 2 rounds he corrected his course went up over the curb uh
151 there's like a small little raised curb in the driver thru area went over
152 the curb onto the grass avoided all the people on the bus bench and I
153 didn't continue firing because at that point he was no longer a threat
154 to me any detectives, or any civilians that were in the area so as soon
155 as he went up over that curb went onto Sunrise went west I
156 immediately got on the radio um I, from what I can remember I put
157 out you know that the vehicle was taking off west bound on Sunrise I
158 think I said on the radio that there were subjects that were um or at
159 least the gentleman in blue that I saw um he was running east bound
160 um so it was kind of like everybody scattered and as soon as that
161 happened uh ran up to my partner make sure he was okay we,
162 obviously very shaken up um we quickly jumped in our vehicle and we
163 attempted to um go after the subject in the vehicle so we went lights
164 and sirens down Sunrise and we started circulating that area uh
165 couldn't, couldn't locate the vehicle as soon as we couldn't relocate we
166 came right back to the scene and from there we were kind of uh um

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167 you know sequestered from there so that was kind of the end of uh
168 our involvement at that point.
169 Q Okay let me just ask you a few questions (UI).
170 A Uh huh.
171 Q So you guys spotted a car, um what kind of car was it?
172 A It was a gray Ford Fusion.
173 Q New or older?
174 A Um it looked like it was possibly a rental um it was kind of beat up
175 though.
176 Q Okay and you said earlier had a Maine tag that's the state of Maine?
177 A Yeah state of Maine sorry it was on the front and uh I believe it's also
178 affixed to the back.
179 Q Do you remember the tag right now?
180 A I want to say it was 9326 Uniform Gulf or Tango something like that.
181 Q Okay.
182 A I'm not a 100% sure but it really stuck out.
183 Q Yeah.
184 A The 9326 part really stuck out.
185 Q Alright um so you guys were on your tactical channel, what channel is
186 that?
187 A Uh off top of my head I don't recall I think it's uh because my radio uh
188 with the new technology we have the radio kind of talks, talks to us
189 when we switch.
190 Q Right.
191 A Channels so I know that um it's uh I want to say its 3 dials from 1 end
192 of the radio.
193 Q Okay.

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194 A It's uh I don't know the exact name of the channel off the top of my
195 head.
196 Q No problem you initially started talking on that talk channel where all
197 you guys ROC, are talking is that right?
198 A Yes.
199 Q And when you communicated to the rest of team that um you guys
200 spotted a stolen car the other members of the team started converging
201 in the area is that right?
202 A Yes.
203 Q Um you said that you went to the cement plant and you guys after
204 confirming made a u-turn and came back?
205 A Yes.
206 Q Right, by the time you were coming back you said that uh Detective
207 Guerra.
208 A Yes.
209 Q Right, and who, who was with Guerra in his car?
210 A I believe he was riding by himself.
211 Q Okay.
212 A And or he may have had Detective Clark, I think Detective Clark was
213 there but I don't remember if they're riding together.
214 Q Okay.
215 A Or if they were separate.
216 Q No problem.
217 A I think it was Detective Guerra's vehicle that was.
218 Q And what kind of car is did he drive that day?
219 A He was driving a black Toyota I believe.

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220 Q Okay now did you guys coordinate over the air that that was that that
221 felony traffic stop was, was going to take place there or was it
222 something that just happened (UI)?

223 A Um I believe if I remember correctly I believe Sergeant Dameron um
224 had advised that um he wanted us to conduct the felony stop in the
225 drive thru lane there to try to, because we felt at the time based on
226 the amount of traffic and foot traffic that that would be the safest area
227 to immobilize the vehicle and keep them from you know.

228 Q Okay.

229 A You know making it unsafe.

230 Q So Guerra went into the drive thru before you guys?

231 A Yes.

232 Q Because he was there first?

233 A Uh.

234 Q As far when he came from the opposite direction?

235 A Yes he was coming from the Valero across the street right at 24 Ave so
236 when he pulled across he, he went first up the drive thru.

237 Q Okay.

238 A Then we fell in behind him.

239 Q Alright so you guys um.

240 A Because we went and turned around and as we were coming in front
241 of the McDonald's it's kind of like I think he kind of just happened to
242 get there first.

243 Q Yeah.

244 A So as we were like kind of converging we fell in behind him.

245 Q Okay did he activate his lights right away or did he stop first, do you
246 remember that at all?

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247 A To be honest I don't remember exactly when he activated them I
248 know that we activated ours I think about the same time I'm not a
249 100% sure.

250 Q Okay and you said as you guys, as he's in the drive thru uh and
251 activated his lights as you're coming out you see the doors open up to
252 the car?

253 A Yes.

254 Q Um.

255 A I see yeah.

256 Q Did you see the driver's side door open at all?

257 A Um I don't recall I do remember seeing a door pop open on that side
258 at the time I feel like it was the back passenger um but I don't a 100%
259 recall it could have possibly been the driver but I thought it was the
260 passenger door.

261 Q Okay.

262 A Um.

263 Q Alright and as the car's going back you said it went back first?

264 A Yeah it went back and uh angled.

265 Q Okay could he have gone forward without going back and going
266 around?

267 A Oh yeah.

268 Q He could have?

269 A Yeah from, from my vantage point it looked like because it's kind of a
270 wide uh drive thru lane I mean it's not super huge but it's kind of wide.

271 Q Right.

272 A And there's a raised curb um and from what I recall Detective Guerra
273 was on the right side of the curb and so were we.

274 Q Okay.

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275 A So there was space not only I don't know exactly how far away it
276 might have been like 5 to 10 feet somewhere in that range between
277 uh, um Detective Guerra's vehicle and the culprit vehicle so there was
278 plenty of room he didn't have to back up.

279 Q Okay.

280 A He could have just gone forward what I, what I was thinking was
281 happening was that because his vehicle was so close to the drive thru
282 window that it was either him or that back passenger could not open
283 the door and, and uh bail out essentially so I think that maybe the uh
284 the vehicle was backing up so that the.

285 Q Give room.

286 A Door to give room for the door to open up so that back passenger
287 could get out and take off running.

288 Q Okay when you get out of the car did you stay on the passenger side
289 of, of your car or did you go to the driver's side where did you go after
290 you got out of the car?

291 A I immediately as soon I got out I saw um a detective I believe it was
292 Detective Johnson he was coming up on foot and he kind of came in
293 front of me so I wasn't able to draw out my firearm to begin the felony
294 stop so I started to fall in uh behind him and then once doors all
295 started opening I think everybody kind of had the same thought that
296 everybody's gonna take off running from this vehicle so everybody
297 seemed like started to move toward the direction of the vehicle so I
298 don't remember exactly where I was standing I think um I started to
299 move up and I was somewhere um somewhere by the uh Detective
300 Guerra's car but I'm not exactly sure where I was standing.

301 Q Okay.

302 A When everything happened.

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- 303 Q That's fine do you remember if when you got out if you got out and
304 drew your gun right away or did you wait?
- 305 A No, I, I did not draw it right away because uh I'm pretty positive I did
306 not because Detective Johnson like I said he was coming up in front of
307 me and I don't know if he realized I was a passenger in that vehicle
308 getting ready to exit um so I kept my gun in my holster.
- 309 Q Okay so when the, the suspect car begins to come forward do you
310 remember where you were standing then?
- 311 A Not really like I said I was somewhere up by I think Detective Guerra's
312 car.
- 313 Q Okay.
- 314 A I'm not exactly sure where I was standing but I was, I think I was on
315 the driver's side somewhere in that range.
- 316 Q Okay when you, when the car was going uh towards uh Detective
317 Falzone um well tell me at what point did you draw your gun?
- 318 A I drew my gun as soon Detective Falzone um I saw the car cut the
319 wheel right at him um which in my mind right away I, I knew he was
320 trying to run you know run Detective Falzone down so at that point I
321 immediately withdrew my firearm and uh everything happened so fast
322 I'm pretty sure I drew it right at that point when he made impact with
323 Detective Falzone.
- 324 Q Okay.
- 325 A I heard 2 um shots ring out and by that time I'm pretty sure I was
326 already I had my gun out in my hand and I was you know.
- 327 Q Okay uh and the car fled west bound?
- 328 A Yeah.
- 329 Q Anything else?

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330 Q (Detective Shotwell) Detective Jones when um when the uh initial
331 contact with the vehicle is when the doors came open you mentioned
332 the one with the twists, the twists in his hair.
333 A Uh huh.
334 Q (Detective Shotwell) How many people got out and fled?
335 A Um I believe it was just him because I kind of, I kind of tunnel
336 visioned in on him but I know I remember that other door it cracked
337 initially I remember it came all the way open at one point but I didn't
338 really have a, I don't even remember kind of focusing on that side
339 because I saw um you know the other guy in the blue shirt and by the
340 time I see him getting out and he's starting to run the vehicle's coming
341 and making impact with Detective Falzone so it's kind of like I really
342 lost sight of that other side.
343 Q (Detective Shotwell) Did you see any weapons?
344 A Uh no not just the vehicle.
345 Q (Detective Shotwell) The subject that that fled that ran east do you
346 know whether he was pursued by other officers?
347 A I believe, I believe Detective Clark I remember him running in that
348 direction um and I, I remember them there was so much radio chatter
349 it sounded like half the, half the team was going after that um subject
350 in the blue shirt and then the other half of us were going after the
351 vehicle.
352 Q (Detective Shotwell) Did you ever get a chance to see anybody or see
353 a photograph of anybody they took into custody that afternoon?
354 A No, I haven't.
355 Q (Detective Shotwell) Did you get a good look at the uh the face of the
356 individual who fled?
357 A The uh?

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358 Q (Detective Shotwell) (UI).
359 A The passenger?
360 Q (Detective Shotwell) The one that ran east?
361 A No I really just had a, um a really good look at his t-shirt and his twisty
362 hair that he had because it was so um I guess distinct.
363 Q (Detective Shotwell) Okay that's it.
364 Q Um how about the driver did you get a good look at him?
365 A Not really, not from what I can remember.
366 Q Okay.
367 A I mean it was I, I definitely saw him and I, you know, you know I saw
368 him I don't know.
369 Q Before you guys went after the car do you know if um all the
370 occupants except for the driver got out of the car or do you know if
371 the other guy that was in the car stayed in the car?
372 A I believe everybody got out of the vehicle because I think there were,
373 I think there were 3 total um in the car and the driver stayed and I, I
374 don't remember seeing anybody else in the car from what I could tell
375 when it was in motion um because I kind of tunneled in on you know
376 the driver compartment and also because it was kind of a blur
377 between seeing my partner go up on the car and you know the actual
378 driver.
379 Q I don't have anything else uh anything else you can think uh (UI)?
380 A (Detective Shotwell) We covered it.
381 Q Nothing?
382 A (Detective Shotwell) Nothing.
383 Q Anything else you can think of?
384 A Nothing I can think of at this time.

FOR: LAUDERDALE POLICE DEPARTMENT

INTERVIEW OF Detective Johnathan Jones
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385 Q (Detective Shotwell) Do you want to look at the video and see if it
386 changes anything?
387 Q Sure.
388 Q (Attorney Dutko) Let me just address one thing if I may.
389 Q Sure.
390 Q (Attorney Dutko) You indicated that when you first saw that this
391 subject vehicle you were northbound on 27th Avenue?
392 A Yes.
393 Q (Attorney Dutko) And Detective Almanzar cleared it up a little bit when
394 you saw the vehicle you observed the condition of the vehicle it
395 appeared to be a newer model Ford?
396 A Yes.
397 Q (Attorney Dutko) But it was banged up and dinged up?
398 A Yes, yeah.
399 Q (Attorney Dutko) And although you didn't specifically denote the tag
400 you could see that it was a tag from the state of Maine?
401 A Yes.
402 Q (Attorney Dutko) Which at least aroused your curiosity?
403 A Yes.
404 Q (Attorney Dutko) And, and, in part that fits the potential profile for a
405 possible stolen vehicle?
406 A Yes.
407 Q (Attorney Dutko) And that's one of the things you're trained to look for
408 and that's why you turned around and started following the car?
409 A Yes.
410 Q (Attorney Dutko) You turned into the lot, you took no actually action to
411 stop the vehicle though until you had confirmation that this was a
412 stolen vehicle?

FORT LAUDERDALE POLICE DEPARTMENT

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413 A Yes sir.

414 Q This is the drive thru angle.

415 A Okay.

416 Q Mark.

417 Q (Detective Shotwell) Uh no I'd leave it (UI) just um for the purpose of

418 the statement we're gonna allow the detective to look at the drive thru

419 video from the McDonald's that caught some of the incident. Is this the

420 vehicle that you were talking about?

421 A Yes.

422 Q (Detective Shotwell) The one with the Maine plate 9326UG?

423 A Yes sir.

424 Q (Detective Shotwell) Looks like there's definitely a driver, back left

425 passenger.

426 Q And a front passenger.

427 A Yes.

428 Q (Detective Shotwell) Where are you at this point while they're sitting at

429 the drive thru?

430 A At this point we're probably we were probably out at the uh by that

431 stop sign as if we were pulling through the lot um but since that lead

432 car left um it's probably pretty close to when we started to move in.

433 Q (Detective Shotwell) It looks like there's something (UI).

434 A Oh yeah, that's Detective Falzone.

435 Q (Detective Shotwell) You can see one subject get out of what looked to

436 be the back right um dark blue sweat shirt or long sleeve shirt and

437 twisties.

438 A Yeah.

439 Q (Detective Shotwell) Is that the one you're talking about that ran east

440 bound somewhere?

FORI LAUDERDALE POLICE DEPARTMENT

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441 A Yes and I think I put that on the radio but I don't know if I got
442 stepped on because I think there was a lot of radio traffic but I, I tried
443 to put out a description of both the gentleman with the blue shirt and
444 twisties and then the uh the vehicle also going westbound.

445 Q (Detective Shotwell) Did you see anything on that um that minute,
446 minute and a half video that uh changes your statement or that uh
447 refreshes your memory?

448 A No I mean it, you know it's definitely nice to see the video because it,
449 it you know kind of helps but.

450 Q Um I'm gonna show him a second video uh this is uh facing west
451 where the Valero gas stations on the other side and uh it'll show you
452 as you and Detective Guerra's car uh approach.

453 A I kept my gun holstered.

454 Q That's pretty much it after that you guys go pursue the car, look for
455 the car that's uh, anything else about that video that?

456 A Um no that's.

457 Q Alright I don't have any more questions anybody else?

458 A (Detective Shotwell) Nothing.

459 Q This is gonna conclude the audio recorded statement of Officer Jones
460 the time is now 11:41 AM.

Accused Detective
Vincent Falzone

FORT LAUDERDALE POLICE DEPARTMENT

INTERVIEW OF Officer Vincent Falzone
Incident Type Carrying Concealed Weapon

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Case #16-174939

INTERVIEW OF Officer Vincent Falzone

Q = Detective Almanzar

A = Vincent Falzone

1
2
3
4
5 Q The following will be the sworn audio recorded statement of Officer
6 Vince, Vincent Falzone as given to Detective Almanzar of the Fort
7 Lauderdale Police Department today's date is December 13th, 2016 and
8 the time is approximately 11:44 AM this statement is being taken at
9 the Fort Lauderdale Police Department CID conference room and
10 present with us is Detective Shotwell and Counsel Mike Dutko this
11 statement is in reference to case number 13, I'm sorry 16-174939
12 which is an incident that occurred on November 28th, 2016 at
13 approximately 12:15 PM the incident occurred at the address of 2300
14 West Sunrise Boulevard also known as the McDonald's in the City of
15 Fort Lauderdale, Broward County, State of Florida. Vincent tell me your
16 full name spell your last name?

17 A Vincent Falzone, F-A-L-Z-O-N-E.

18 Q And Vince you realize I'm a detective with the Fort Lauderdale Police
19 Department?

20 A Yes.

21 Q And as such the state empowers me to take your statement under
22 oath raise your right hand do you swear to tell the truth the whole
23 truth and nothing but the truth?

24 A I do.

25 Q Okay um can you tell me where you work, how long you've been
26 employed and in what capacity you work now?

27 A I work for the City of Fort Lauderdale as a police detective in the Rapid
28 Offender Control squad which is part of Street Crimes.

FORT LAUDERDALE POLICE DEPARTMENT

INTERVIEW OF Officer Vincent Falzone
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- 29 Q And how long have you worked here?
- 30 A Um 10 years in November I believe.
- 31 Q And what other position have you held in the police department?
- 32 A Um patrol officer, Field Training Officer that's all.
- 33 Q Okay how long you been in ROC?
- 34 A Um since its inception maybe a year and a half now or something.
- 35 Q And where did you work before here?
- 36 A Uh City of Miramar.
- 37 Q How long?
- 38 A A year and a half.
- 39 Q In road patrol?
- 40 A In road patrol.
- 41 Q So you have a total of almost 12 years as a law enforcement officer?
- 42 A Almost yeah.
- 43 Q Okay um that day um you were working correct?
- 44 A Correct.
- 45 Q Uh can you tell me what kind of firearm you're carrying?
- 46 A Uh Glock 17.
- 47 Q Um at what time did you guys come on duty that day?
- 48 A Um 7:30 in the morning.
- 49 Q Alright, alright so just tell me about that about this incident now you
- 50 guys at what time approximately you guys spot the car and where and
- 51 what happens then?
- 52 A Um time wise I'm just going off the time that you know we you know
- 53 at the time when we spotted the car I didn't know what time it was
- 54 but I'm going off when this incident happened so just prior to the
- 55 incident happening.
- 56 Q Okay.

FOR. LAUDERDALE POLICE DEPARTMENT

INTERVIEW OF Officer Vincent Falzone
Incident Type Carrying Concealed Weapon

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57 A Um on 27th Avenue I think in like the 1600 block Northwest we spot a
58 car with a Maine tag it is a newer car and it has damage so it kind of
59 looked suspicious to us with a Maine tag in that neighborhood um the
60 car was behind us in traffic I pulled into like a uh a church drive way or
61 something that's at like maybe 13 or 14 Street on the west side of the,
62 on 27 Avenue to let the car pass us so we can get behind it try to get
63 the tag number run the tag, um the occupants didn't have seat belts
64 when we first saw the car so I pull in there the car goes by I get back
65 into traffic there's still 1 car between us so it's kind of hard to see the
66 tag the car travels up to 11 Street makes a left turn to go east um the
67 other car I think went to I don't, we couldn't get the tag yet so the car
68 is going east on 11 Street by the high school um (clearing throat) gets
69 to uh sorry (clearing throat) gets to like 24th Avenue makes a right to
70 me I, I thought the car was trying to see if we were following it too
71 maybe because it's kind of suspicious he kept turning um the car goes
72 up to Sunrise Boulevard southbound Sunrise Boulevard uh then across
73 to the McDonald's makes a left into the McDonald's parking lot when it
74 goes into the McDonald's I think we get behind it enough to where we
75 can see the tag uh John Jones runs the tag on teletype um or starts
76 running it around that time period the car goes into the drive thru of
77 the McDonald's uh I continue east bound through the parking lot just
78 so not to let them know that we're watching them I guess um he's
79 running the tag uh I kind of like stall and wait at the stop sign where it
80 goes out onto like frontage road or whatever.

81 Q Uh huh.

82 A Um the car comes back uh on the radio as a stolen car out of West
83 Palm Beach I drove out of the parking lot went to like a little drive way
84 that's to a construction site right there I don't know if you guys are

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85 familiar with it or uh just to kind of like have a place to turn around
86 and like kind of not be not seem like we're sitting there if they're
87 watching us in the rear view or something from the drive thru um we
88 got on, I think I got on the radio first and asked for more of the, the
89 ROC guys on our channel to come that way try to get some more
90 people in the area coordinate a take down or a felony stop um so Matt
91 Guerra I believe was one of the first guys to get to the area he went to
92 the I think Valero gas station on the west side of 24th Avenue just west
93 of the McDonald's and then I think um Tommy Vasquez, Steve
94 Johnson and Chris Troiano were riding together in a van they came to
95 the area um they coordinated with everyone's sergeant and decided to
96 do a take down as they were gonna drive out of the, the drive thru
97 just to prevent a pursuit if it was possible because it was a stolen car
98 um so they, they were at the window they, there was no one in front
99 of them anymore so Matt Guerra drove in through the uh the exit from
100 the drive thru I followed behind him with John Jones in my passenger
101 seat and then uh the van with the 3 guys kind of drove to the back of
102 the McDonald's I guess I don't know if that was coordinated on the
103 radio or not I don't remember at this point but thought process being
104 if they, they run every which way then we'll have 3 guys on foot back
105 there and a car back there so um we go into the into the drive thru
106 opposite basically uh Matt Guerra is in front of us he parks we activate
107 our lights the people in the car know we're the police they're not
108 getting robbed or something um the car I, I see the car backing up at
109 like a high rate of speed as fast as a car could go in that little space it
110 had.

111 Q Uh huh.

FOR LAUDERDALE POLICE DEPARTMENT

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- 112 A Crash into the car behind it if I remember correctly like parts of the car
113 went all over the place that's just what I remember seeing and uh
114 people were trying to bail out of the car or had already bailed out so I
115 started trying to go up toward the car to maybe catch someone that's
116 running thinking that they're just like abandoning the car and the next
117 thing I know the car is driving at me I'm like I'm gonna be killed by
118 this car coming at me there's nothing I can do, nowhere to go the cars
119 coming at me very quick and to me, to me I really think the guy
120 angled and was really trying to hit me because it seemed like there
121 was space where he could have not gone toward me um so I draw my
122 firearm also the drivers hands are up by wheel and I see something
123 that looks like a gun and it's in his right hand uh so I draw my firearm
124 I shoot at him uh and then I think I'm hit by the car it's, this is kind of
125 blurry to me like a lot of people told me you were hit by the car and
126 obviously the news said that I was on top of the car and all this stuff
127 but it happened so fast that um I don't know what car I was on top of
128 but I was top of a car and then I was off of it and then I looked at the
129 car passing me and could see it going out towards through the bushes
130 and stuff towards Sunrise.
- 131 Q Okay let me just ask you a few questions.
- 132 A Sure.
- 133 Q You were in plain clothes that day what were you wearing?
- 134 A I was wearing jeans, a blue t-shirt my badge on belt as it is now
135 firearm on my belt uh black vest that had POLICE labeling on the
136 front, POLICE labeling on the back.
- 137 Q Okay um you guys spot the car you're trying to get the tag right
138 originally?
- 139 A Yes.

FOR LAUDERDALE POLICE DEPARTMENT

INTERVIEW OF Officer Vincent Falzone
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- 140 Q Um you said it was a Ford?
- 141 A I don't think I said but it was a Ford Fusion I think.
- 142 Q Okay um and you guys realized that the tag was out of town it was
- 143 from the state of Maine?
- 144 A Yes.
- 145 Q Okay um eventually you guys run the tag which Johnathan Jones did
- 146 correct?
- 147 A Yes.
- 148 Q And when you guys got confirmation it was stolen that's when uh you
- 149 guys put it over your TAC channel?
- 150 A Yeah we put it over the TAC channel just to try to, try to get some
- 151 resources head that way we didn't know where everybody in our unit
- 152 was at the moment so.
- 153 Q Did you guys make a plan on the radio about what you guys were
- 154 gonna do?
- 155 A Um I think we did.
- 156 Q Do you remember what the plan was?
- 157 A Uh just I, I don't know the exact wording I would have to hear it to.
- 158 Q Okay.
- 159 A To recall it but um.
- 160 Q The jest of it?
- 161 A The jest I think was just to try to prevent the guy from causing a
- 162 pursuit.
- 163 Q Do you remember who came up with it who said that on the radio?
- 164 A Um not really.
- 165 Q Okay but it wasn't, it wasn't you or Jones?
- 166 A I, I think it was Dameron that that um.
- 167 Q Okay.

FOIA LAUDERDALE POLICE DEPARTMENT

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168 A Wanted us to do the take down at McDonald's.

169 Q Okay.

170 A Uh to prevent a pursuit.

171 Q Alright so, so you guys make that u-turn at the, you said a
172 construction site is this on Frontage Road or before Frontage?

173 A I think it's on Frontage.

174 Q Okay.

175 A Is that Frontage.

176 Q Yeah that's Frontage.

177 A Okay.

178 Q So you guys made the u-turn and come back uh you said Matt Guerra
179 was at the Valero gas station, what kind of car was he driving if you
180 remember?

181 A Black Camry.

182 Q Was he by himself or was somebody else in his car, in the car with
183 him?

184 A I think by himself.

185 Q Okay so he, he goes ahead of you guys in the drive thru correct?

186 A Yes.

187 Q Um you remember at what point he activated his lights or you guys?

188 A I don't know when he did or I, I, honestly I don't even know if he did.

189 Q Okay.

190 A I don't recall if, if, seeing his lights on but, I would believe he would
191 have.

192 Q Okay.

193 A And I know I did.

194 Q So.

195 A I did as, as we kind of got into position.

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196 Q When you get out of your car did you have your gun drawn?
197 A I don't remember.
198 Q Okay.
199 A It's a good possibility but I, I don't remember.
200 Q That's fine uh where do you go when you get out of the car?
201 A Um like I said it appeared everyone was bailing out of the car after it
202 backed up like doors were opening people were trying to get out and.
203 Q Is this happening as you're walking towards the car or were you still in
204 your car when you saw people opening up doors?
205 A No I started going towards it because it seemed like everyone was just
206 gonna run on foot.
207 Q Do you know how many occupants in the car originally?
208 A I think 3.
209 Q Okay.
210 A I could be wrong.
211 Q Uh earlier you mentioned that you thought the driver had a gun, he
212 looked like he had something in his hand that looked like a gun.
213 A Yeah.
214 Q At what point in time did you see that?
215 A When the car was barreling at me just in that half of second when the
216 shooting happened.
217 Q Was that before or after the bail out the guy that bailed out of the car?
218 A I believe after.
219 Q Okay.
220 A It was when the car was coming at me like you know there was
221 nothing I could do except that one thing no alternative.
222 Q Okay and you say the car was coming straight at you?
223 A Yeah.

FOR LAUDERDALE POLICE DEPARTMENT

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- 224 Q At what point in time did you, you drew your gun and start shooting?
- 225 A Uh I, you know I said I didn't remember if my gun was in my hand
- 226 when I got out but I, I kind of remember drawing as it was coming at
- 227 me but.
- 228 Q Okay.
- 229 A It's very like cloudy you know it happened very quickly.
- 230 Q Alright.
- 231 A I don't know if that's normal in this situation but.
- 232 Q And you said you were on top of the car but you don't know if it was
- 233 the suspect car or it was another car?
- 234 A I, I can only imagine it was the suspect car because it was coming
- 235 right at me and I'm, you know I believe I couldn't shoot anymore
- 236 because I was hit by it you know.
- 237 Q Okay um what happens after the car is, is fleeing?
- 238 A Um I, I think I had like a second there where I was like recovering
- 239 after being hit by the car or trying to you know get my baring again or
- 240 something um and then I, I just saw it going out towards Sunrise like
- 241 through bushes and.
- 242 Q What did you guys do after that?
- 243 A Uh after it got out onto Sunrise I told John let's go after it you know
- 244 obviously someone needs to go after it I didn't see anyone else going
- 245 after it.
- 246 Q Okay.
- 247 A Uh we jumped in the car and headed west on Sunrise.
- 248 Q Are.
- 249 A Trying to find it.
- 250 Q You guys circle around for it?

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251 A We just went west I think we I, I was thinking it's going to try to get
252 out of the area as far as it can so we, I think we went all the way to
253 the uh State Road 7 bridge on Sunrise and then we turned around and
254 came back.

255 Q Okay.

256 A And then I think on the way back I drove through the neighborhood
257 where we found it just to try and see if it went in there but I didn't see
258 it.

259 Q Okay did you uh get medical attention for?

260 A Yes.

261 Q You went to BGH, Broward General?

262 A Yes.

263 Q Okay anything else?

264 Q (Detective Shotwell) Detective the, the individual that, how many
265 people did you see actually run from the car?

266 A I, I couldn't put a number on it I just saw like the doors trying to open
267 and it was really fast situation.

268 Q (Detective Shotwell) Did you get a look at any of the runners or
269 anybody who bailed out of the car?

270 A Not really well just because the only thing I could focus on was not
271 being killed by the car.

272 Q (Detective Shotwell) Did you get a chance since then to see anyone
273 that uh they might have taken into custody that afternoon or see
274 photographs of anybody that they took into custody?

275 A The subject that ran to the wall in the back of the uh McDonald's and
276 threw a gun or whatever I, I don't think I ever saw him that day and
277 then I think the only one I've seen is that BOLO that you guys put out
278 for the unidentified guy or whatever.

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279 Q (Detective Shotwell) Okay that's it.
280 Q Mr. Dutko anything?
281 A (Attorney Dutko) Nothing.
282 Q Is there anything else you can think of you think would be useful that
283 we didn't cover?
284 A No.
285 Q Alright would you like to see the video?
286 A Yeah.
287 Q I'm going to be recording and show you the video. This video I'm
288 gonna show you is from the drive thru it uh it's gonna show the back
289 of the suspect car and then what happens and where he goes so this
290 is the video, do you remember the car?
291 A Yes.
292 Q Is this the car?
293 A Yes that's the car.
294 Q The car has a Maine tag of 9326UG?
295 A Yes.
296 Q It looks like that's the rear passenger hanging his arm out and it looks
297 like there's a front passenger and obviously a driver, the car had the
298 bumper that's damaged like you mentioned.
299 A Right.
300 Q Can you see the car backed up a little bit, it goes forward and then
301 back rapidly got a black male running from the passenger front
302 detective who was that running, did you see who, who was that
303 running what detective was that?
304 A (UI).
305 Q This detective running here.
306 A Um I think that's Matt Guerra.

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307 Q Okay Detective Guerra now I want you to focus your uh up here in the
308 top by the camera 3 sign you see, that was you on top of Detective
309 Guerra's car, want to see it again as the car backs up and goes west
310 and turns?

311 A Did it not hit the car behind it?

312 Q No it didn't.

313 A It sure appeared that way.

314 Q Is this you over here in the corner?

315 A Yes.

316 Q Uh it looked like you were on top of Detective Guerra's car?

317 A Okay I, I felt like something hit me though which it appears it does
318 right?

319 Q It does up here it does okay that's pretty much after that you guys go
320 out of frame you can't see any more by looking at the video anything
321 else you'd like to add or recollect so you remember?

322 Q (Attorney Dutko) Can I ask a question?

323 Q Sure.

324 Q (Attorney Dutko) We didn't go into it here at the moment that you
325 fired shots that vehicle was coming at you correct?

326 A Yes.

327 Q (Attorney Dutko) And that's when you were in fear for your life?

328 A A 100% yeah.

329 Q (Attorney Dutko) As that vehicle clears through that hedge you didn't
330 fire any more shots?

331 A No.

332 Q (Attorney Dutko) Or to your knowledge did any other officer?

333 A No it was when the car was coming at me.

334 Q (Attorney Dutko) And this is what time of the day?

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335 A Just after noon.

336 Q (Attorney Dutko) It's a pretty congested area lot of civilians around?

337 Q It's lunch time.

338 A I suppose so.

339 Q (Attorney Dutko) But the, when you discharged your weapon as that

340 vehicle was coming in your direction.

341 A Yes.

342 Q (Attorney Dutko) And once the vehicle clears through the hedge the

343 threat to you has evaded no more shots were fired?

344 A Correct.

345 Q Um did you take a look at the driver could you recognize him if you

346 saw him again?

347 A Honestly I don't think I can.

348 Q Okay.

349 A Just happened so quickly from, I was focused on other things.

350 Q And just for the record how many shots did you fire?

351 A Two.

352 Q Alright any more questions?

353 Q (Attorney Dutko) No.

354 Q Alright this is gonna conclude the audio recorded statement, this is

355 gonna conclude the audio recorded statement of Detective Falzone the

356 time now is 12:04.